

106TH CONGRESS
1ST SESSION

S. 1536

To amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to modernize programs and services for older individuals, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 1999

Mr. DEWINE introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to modernize programs and services for older individuals, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; REFERENCES.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Older Americans Act Amendments of 1999”.

6 (b) REFERENCES.—Except as otherwise specifically
7 provided, whenever in this Act an amendment or repeal
8 is expressed in terms of an amendment to, or repeal of,

1 a provision, the reference shall be considered to be made
 2 to a provision of the Older Americans Act of 1965 (42
 3 U.S.C. 3001 et seq.).

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents of this Act is as follows:

Sec. 1. Short title; references.
 Sec. 2. Table of contents.

TITLE I—AMENDMENT TO TITLE I OF THE OLDER AMERICANS
 ACT OF 1965

Sec. 101. Definitions.

TITLE II—AMENDMENTS TO TITLE II OF THE OLDER
 AMERICANS ACT OF 1965

Sec. 201. Functions of Assistant Secretary.
 Sec. 202. Federal agency consultation.
 Sec. 203. Federal Council on the Aging.
 Sec. 204. Evaluation.
 Sec. 205. Gifts.
 Sec. 206. Authorization of appropriations.

TITLE III—AMENDMENTS TO TITLE III OF THE OLDER
 AMERICANS ACT OF 1965

Sec. 301. Purpose.
 Sec. 302. Authorization of appropriations.
 Sec. 303. Allotment; Federal share.
 Sec. 304. Area plans.
 Sec. 305. State plans.
 Sec. 306. Planning, coordination, evaluation, and administration of State plans.
 Sec. 307. Availability of disaster relief funds to tribal organizations.
 Sec. 308. Nutrition services incentive program.
 Sec. 309. Consumer contributions and waivers.
 Sec. 310. Supportive services and senior centers.
 Sec. 311. Nutrition services.
 Sec. 312. Payment requirement.
 Sec. 313. In-home services and additional assistance.
 Sec. 314. Definition.
 Sec. 315. National family caregiver support program.

TITLE IV—AMENDMENTS TO TITLE IV OF THE OLDER
 AMERICANS ACT OF 1965

Sec. 401. Repeal.

TITLE V—AMENDMENTS TO TITLE V OF THE OLDER AMERICANS
 ACT OF 1965

Sec. 501. Older american community service employment program.
 Sec. 502. Administration.

Sec. 503. Interagency cooperation.
 Sec. 504. Equitable distribution of assistance.
 Sec. 505. Dual eligibility.
 Sec. 506. Coordination and performance.
 Sec. 507. Authorization of appropriations.

TITLE VI—AMENDMENTS TO TITLE VI OF THE OLDER AMERICANS ACT OF 1965

Sec. 601. Eligibility.
 Sec. 602. Applications.
 Sec. 603. Authorization of appropriations.
 Sec. 604. General provisions.

TITLE VII—AMENDMENTS TO TITLE VII OF THE OLDER AMERICANS ACT OF 1965

Sec. 701. Authorization of appropriations.
 Sec. 702. Allotment.
 Sec. 703. Additional State plan requirements.
 Sec. 704. State long-term care ombudsman program.
 Sec. 705. Native American organization provisions.
 Sec. 706. Prevention of elder abuse, neglect, and exploitation.
 Sec. 707. Assistance programs.

TITLE VIII—TECHNICAL AND CONFORMING AMENDMENTS

Sec. 801. Technical and conforming amendments.

1 **TITLE I—AMENDMENT TO TITLE** 2 **I OF THE OLDER AMERICANS** 3 **ACT OF 1965**

4 **SEC. 101. DEFINITIONS.**

5 Section 102 of the Older Americans Act of 1965 (42
 6 U.S.C. 3002) is amended by adding at the end the fol-
 7 lowing:

8 “(45) The term ‘disease prevention and health
 9 promotion services’ means—

10 “(A) health risk assessments;

11 “(B) routine health screening, which may
 12 include hypertension, glaucoma, cholesterol,

1 cancer, vision, hearing, diabetes, and nutrition
2 screening;

3 “(C) nutritional counseling and educational
4 services for individuals and their primary care-
5 givers;

6 “(D) health promotion programs, including
7 programs relating to prevention and reduction
8 of effects of chronic disabling conditions (in-
9 cluding osteoporosis and cardiovascular dis-
10 ease), alcohol and substance abuse reduction,
11 smoking cessation, weight loss and control, and
12 stress management;

13 “(E) programs regarding physical fitness,
14 group exercise, and music therapy, art therapy,
15 and dance-movement therapy, including pro-
16 grams for multigenerational participation that
17 are provided by—

18 “(i) an institution of higher education;

19 “(ii) a local educational agency, as de-
20 fined in section 14101 of the Elementary
21 and Secondary Education Act of 1965 (20
22 U.S.C. 8801); or

23 “(iii) a community-based organization;

24 “(F) home injury control services, includ-
25 ing screening of high-risk home environments

1 and provision of educational programs on injury
2 prevention (including fall and fracture preven-
3 tion) in the home environment;

4 “(G) screening for the prevention of de-
5 pression, coordination of community mental
6 health services, provision of educational activi-
7 ties, and referral to psychiatric and psycho-
8 logical services;

9 “(H) educational programs on the avail-
10 ability, benefits, and appropriate use of preven-
11 tive health services covered under title XVIII of
12 the Social Security Act (42 U.S.C. 1395 et
13 seq.);

14 “(I) medication management screening and
15 education to prevent incorrect medication and
16 adverse drug reactions;

17 “(J) information concerning diagnosis, pre-
18 vention, treatment, and rehabilitation con-
19 cerning age-related diseases and chronic dis-
20 abling conditions, including osteoporosis, cardio-
21 vascular diseases, diabetes, and Alzheimer’s dis-
22 ease and related disorders with neurological and
23 organic brain dysfunction;

24 “(K) gerontological counseling; and

1 “(L) counseling regarding social services
2 and followup health services based on any of
3 the services described in subparagraphs (A)
4 through (K).

5 The term shall not include services for which pay-
6 ment may be made under title XVIII of the Social
7 Security Act (42 U.S.C. 1395 et seq.).

8 “(46) The term ‘in-home services’ includes—

9 “(A) homemaker and home health aides;

10 “(B) visiting and telephone reassurance;

11 “(C) chore maintenance;

12 “(D) in-home respite care for families, and
13 adult day care as a respite service for families;

14 “(E) minor modification of homes that is
15 necessary to facilitate the ability of older indi-
16 viduals to remain at home and that is not avail-
17 able under another program (other than a pro-
18 gram carried out under this Act);

19 “(F) personal care services; and

20 “(G) other in-home services as defined—

21 “(i) by the State agency in the State
22 plan submitted in accordance with section
23 307; and

1 “(ii) by the area agency on aging in
 2 the area plan submitted in accordance with
 3 section 306.

4 “(47) The term ‘Native American’ means—

5 “(A) an Indian; and

6 “(B) a Native Hawaiian, as defined in sec-
 7 tion 625.”.

8 **TITLE II—AMENDMENTS TO**
 9 **TITLE II OF THE OLDER**
 10 **AMERICANS ACT OF 1965**

11 **SEC. 201. FUNCTIONS OF ASSISTANT SECRETARY.**

12 Section 202 of the Older Americans Act of 1965 (42
 13 U.S.C. 3012) is amended—

14 (1) in subsection (a)—

15 (A) by striking paragraph (24) and insert-
 16 ing the following:

17 “(24) develop and operate, either directly or
 18 through contracts, grants, or cooperative agree-
 19 ments, a National Eldercare Locator Service, pro-
 20 viding information and assistance services through a
 21 nationwide toll-free number to identify community
 22 resources for older individuals;”;

23 (B) by striking paragraph (27); and

1 (C) by redesignating paragraphs (28),
2 (29), and (30) as paragraphs (27), (28), and
3 (29), respectively; and

4 (2) by adding at the end the following:

5 “(f) PERFORMANCE OUTCOME MEASURES.—

6 “(1) IN GENERAL.—The Assistant Secretary, in
7 accordance with the process described in paragraph
8 (2), and in collaboration with a representative group
9 of State agencies, tribal organizations, and area
10 agencies on aging, shall develop and publish by De-
11 cember 31, 2000, a set of performance outcome
12 measures to be used for planning, managing, and
13 evaluating activities performed and services provided
14 under this Act. To the maximum extent possible, the
15 Assistant Secretary shall use data currently collected
16 (as of the date of development of the measures) by
17 State agencies, area agencies on aging, and service
18 providers through the National Aging Program In-
19 formation System in developing such measures.

20 “(2) DEVELOPMENT PROCEDURE.—The process
21 for developing the performance outcome measures
22 described in paragraph (1) shall include—

23 “(A) a review of such measures currently
24 in use by State agencies and area agencies on
25 aging (as of the date of the review);

1 “(B) development of a proposed set of such
2 measures that provides information about the
3 major activities performed and services provided
4 under this Act;

5 “(C) pilot testing of the proposed set of
6 such measures, including an identification of re-
7 source, infrastructure, and data collection
8 issues at the State and local levels; and

9 “(D) evaluation of the pilot test and rec-
10 ommendations for modification of the proposed
11 set of such measures.”.

12 **SEC. 202. FEDERAL AGENCY CONSULTATION.**

13 Section 203(b) of the Older Americans Act of 1965
14 (42 U.S.C. 3013(b)) is amended—

15 (1) in paragraph (17), by striking “, and” and
16 inserting a comma;

17 (2) in paragraph (18), by striking the period
18 and inserting “, and”; and

19 (3) by adding at the end the following:

20 “(19) title I of the Workforce Investment Act of 1998
21 (29 U.S.C. 2801 et seq.).”.

22 **SEC. 203. FEDERAL COUNCIL ON THE AGING.**

23 Section 204(g) of the Older Americans Act of 1965
24 (42 U.S.C. 3015(g)) is amended by striking “\$300,000

1 for fiscal year” and all that follows and inserting “such
2 sums as may be necessary.”.

3 **SEC. 204. EVALUATION.**

4 Section 206 of the Older Americans Act of 1965 (42
5 U.S.C. 3017) is amended—

6 (1) by striking subsection (g); and

7 (2) by redesignating subsection (h) as sub-
8 section (g).

9 **SEC. 205. GIFTS.**

10 Title II of the Older Americans Act of 1965 (42
11 U.S.C. 3011 et seq.) is amended by inserting before sec-
12 tion 215 the following:

13 **“SEC. 214A. GIFTS AND DONATIONS.**

14 “(a) GIFTS AND DONATIONS.—The Assistant Sec-
15 retary may accept, use, and dispose of, on behalf of the
16 United States, gifts or donations (in cash or in kind, in-
17 cluding voluntary and uncompensated services or prop-
18 erty), which shall be available until expended for the pur-
19 poses specified in subsection (b). Gifts of cash and pro-
20 ceeds of the sale of property shall be available in addition
21 to amounts appropriated to carry out this Act.

22 “(b) USE OF GIFTS AND DONATIONS.—Gifts and do-
23 nations accepted pursuant to subsection (a) may be used
24 either directly, or for grants to or contracts with public

1 or nonprofit private entities, for the following activities
2 under this title:

3 “(1) The design and implementation of dem-
4 onstrations of innovative ideas and best practices in
5 programs and services for older individuals.

6 “(2) The planning and conduct of conferences
7 for the purpose of exchanging information, among
8 concerned individuals and public and private entities
9 and organizations, relating to programs and services
10 provided under this Act and other programs and
11 services for older individuals.

12 “(3) The development, publication, and dissemi-
13 nation of informational materials (in print, visual,
14 electronic, or other media) relating to the programs
15 and services provided under this Act and other mat-
16 ters of concern to older individuals.

17 “(c) ETHICS GUIDELINES.—The Assistant Secretary
18 shall establish written guidelines setting forth the criteria
19 to be used in determining whether a gift or donation
20 should be declined under this section because the accept-
21 ance of the gift or donation would—

22 “(1) reflect unfavorably upon the ability of the
23 Administration, the Department of Health and
24 Human Services, or any employee of the Administra-
25 tion or Department to carry out responsibilities or

1 official duties under this Act in a fair and objective
 2 manner; or

3 “(2) compromise the integrity or the appear-
 4 ance of integrity of programs or services provided
 5 under this Act or of any official involved in those
 6 programs or services.”.

7 **SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

8 Section 215 of the Older Americans Act of 1965 (42
 9 U.S.C. 3020f) is amended—

10 (1) in subsection (a)—

11 (A) by striking “(a) ADMINISTRATION.—”;

12 and

13 (B) by striking “such sums” and all that
 14 follows and inserting “such sums as may be
 15 necessary for fiscal year 2000 and each of the
 16 4 succeeding fiscal years.”; and

17 (2) by striking subsection (b).

18 **TITLE III—AMENDMENTS TO**
 19 **TITLE III OF THE OLDER**
 20 **AMERICANS ACT OF 1965**

21 **SEC. 301. PURPOSE.**

22 Section 301 of the Older Americans Act of 1965 (42
 23 U.S.C. 3021) is amended by adding at the end the fol-
 24 lowing:

1 “(d)(1) Any funds received under an allotment as de-
 2 scribed in section 304(a), or funds contributed toward the
 3 non-Federal share under section 304(d), shall be used only
 4 for activities and services to benefit older individuals and
 5 other individuals as specifically provided for in this title.

6 “(2) No provision of this title shall be construed as
 7 prohibiting a State agency or area agency on aging from
 8 providing services to older individuals using funds from
 9 sources not described in paragraph (1).”.

10 **SEC. 302. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 303 of the Older Americans Act of 1965 (42
 12 U.S.C 3023) is amended—

13 (1) by striking subsection (a)(1) and inserting
 14 the following:

15 “(1) There are authorized to be appropriated to carry
 16 out part B such sums as may be necessary.”;

17 (2) by striking subsection (b) and inserting the
 18 following:

19 “(b)(1) There are authorized to be appropriated to
 20 carry out subpart 1 of part C such sums as may be nec-
 21 essary.

22 “(2) There are authorized to be appropriated to carry
 23 out subpart 2 of part C such sums as may be necessary.”;
 24 and

1 (3) by striking subsections (d) through (g) and
2 inserting the following:

3 “(d) There are authorized to be appropriated to carry
4 out part D such sums as may be necessary.

5 “(e) There are authorized to be appropriated to carry
6 out part E such sums as may be necessary.”.

7 **SEC. 303. ALLOTMENT; FEDERAL SHARE.**

8 (a) IN GENERAL.—Section 304(a) of the Older Amer-
9 icans Act of 1965 (42 U.S.C. 3024(a)) is amended—

10 (1) in paragraph (1)—

11 (A) in the first sentence, in the matter pre-
12 ceding subparagraph (A), by striking “Subject
13 to paragraphs (2) and (3)” and inserting “Sub-
14 ject to paragraph (2),”; and

15 (B) in the last sentence, by striking “For
16 the purposes of paragraph (3) and the excep-
17 tion” and inserting “For the purposes of the
18 exception”;

19 (2) in paragraph (2), by striking “1987” and
20 inserting “1999”; and

21 (3) by striking paragraph (3) and inserting the
22 following:

23 “(3) In determining the amount allotted to a State
24 from the sums appropriated under section 303 for a fiscal
25 year, the Assistant Secretary shall first determine the

1 amount allotted to such State under paragraph (1) and
 2 then adjust such amount, if necessary, to meet the re-
 3 quirements of paragraph (2).”.

4 (b) AVAILABILITY OF FUNDS FOR REALLOTMENT.—
 5 Section 304(b) of the Older Americans Act of 1965 (42
 6 U.S.C. 3024(b)) is amended in the first sentence by strik-
 7 ing “part B or C” and inserting “part B or C, or subpart
 8 1 of part E,”.

9 (c) FOCAL POINT.—Section 304 of the Older Ameri-
 10 cans Act of 1965 (42 U.S.C. 3024) is amended by adding
 11 at the end the following:

12 “(f) Each area agency on aging that receives funds
 13 under this title shall—

14 “(1) designate, where feasible, a focal point for
 15 comprehensive service delivery in each community in
 16 the planning and service area involved, giving special
 17 consideration to designating multipurpose senior
 18 centers (including multipurpose senior centers oper-
 19 ated by organizations referred to in section
 20 306(a)(6)(C)(ii)) as such focal point; and

21 “(2) specify in grants, contracts, and agree-
 22 ments implementing the area plan described in sec-
 23 tion 306, the identity of each focal point so des-
 24 ignated.”.

1 **SEC. 304. AREA PLANS.**

2 (a) IN GENERAL.—Section 306(a) of the Older Amer-
 3 icans Act of 1965 (42 U.S.C. 3026(a)) is amended—

4 (1) by striking paragraph (1) and inserting the
 5 following:

6 “(1) provide for the furnishing of services
 7 (through a comprehensive and coordinated system),
 8 the need for which has been determined pursuant
 9 to paragraph (3), including—

10 “(A) supportive services;

11 “(B) nutrition services; and

12 “(C) if appropriate, the establishment,
 13 maintenance, or construction of multipurpose
 14 senior centers;”;

15 (2) in paragraph (2)—

16 (A) in the matter preceding subparagraph
 17 (A), by striking “section 307(a)(22)” and in-
 18 serting “307(a)(2)”;

19 (B) in subparagraph (B), by striking
 20 “services (homemaker” and all that follows
 21 through “maintenance, and” and inserting
 22 “services, including”; and

23 (C) in the matter following subparagraph
 24 (C), by striking “and specify annually in such
 25 plan, as submitted or as amended,” and insert-

1 ing “and assurances that the area agency on
 2 aging will report annually to the State agency”;
 3 (3) by striking paragraph (3) and inserting the
 4 following:

5 “(3) provide for determining the extent of need
 6 for the services specified in paragraphs (1) and (2)
 7 in the planning and service area, taking into
 8 consideration—

9 “(A) the number of older individuals resid-
 10 ing in the area who—

11 “(i) have low incomes;

12 “(ii) have the greatest economic need
 13 or greatest social need for such services,
 14 especially older individuals who are minori-
 15 ties; and

16 “(iii) are Native Americans; and

17 “(B) the effectiveness of use of resources
 18 (including efforts of volunteers and voluntary
 19 organizations) in meeting such need;”;

20 (4)(A) by striking paragraph (4); and

21 (B) by redesignating paragraph (5) as para-
 22 graph (4);

23 (5) by inserting after paragraph (4) (as redesign-
 24 nated by paragraph (4)) the following:

“(5) provide assurances that the area agency on aging will coordinate planning, identification, assessment of needs, and provision of services for older individuals with disabilities, with particular attention to individuals with severe disabilities, with agencies that develop or provide services for individuals with disabilities;”;

(6) in paragraph (6)—

(A) by striking subparagraphs (A), (B), (G), (I), (J), (K), (L), (O), (P), (Q), (R), and (S);

(B) by redesignating subparagraphs (C), (D), (E), (F), (H), (M), and (N) as subparagraphs (A), (B), (C), (D), (E), (F), and (G), respectively;

(C) in subparagraph (C) (as redesignated by subparagraph (B)), by striking “or adults” and inserting “, assistance to older individuals caring for relatives who are children”; and

(D) in subparagraph (F) (as redesignated by subparagraph (B)), by adding “and” after the semicolon;

(7) by striking paragraphs (7) through (20) and inserting the following:

1 “(7) provide that the area agency on aging will
 2 facilitate the coordination of community-based, long-
 3 term care services designed to enable older individ-
 4 uals to remain in their homes, by means including—

5 “(A) development of case management
 6 services as a component of the long-term care
 7 services, consistent with the requirements of
 8 paragraph (8);

9 “(B) involvement of long-term care pro-
 10 viders in the coordination of such services; and

11 “(C) increasing community awareness of
 12 and involvement in addressing the needs of resi-
 13 dents of long-term care facilities;

14 “(8) provide that case management services
 15 provided under this title through the area agency on
 16 aging will—

17 “(A) not duplicate case management serv-
 18 ices provided through other Federal and State
 19 programs;

20 “(B) be coordinated with services described
 21 in subparagraph (A); and

22 “(C) be provided by—

23 “(i) a public agency; or

24 “(ii) a nonprofit private agency that—

1 “(I)(aa) gives each older indi-
2 vidual seeking services under this title
3 a list of agencies that provide similar
4 services within the jurisdiction of the
5 area agency on aging;

6 “(bb) gives each individual de-
7 scribed in item (aa) a statement speci-
8 fying that the individual has a right
9 to make an independent choice of
10 service providers and documents re-
11 ceipt by such individual of such state-
12 ment; and

13 “(cc) has case managers acting
14 as agents for the individuals receiving
15 the services and not as promoters for
16 the agency providing such services; or

17 “(II) is located in a rural area
18 and obtains a waiver of the require-
19 ments described in items (aa), (bb),
20 and (cc) of subclause (I);

21 “(9) provide assurances that the area agency on
22 aging, in carrying out the State Long-Term Care
23 Ombudsman program under section 307(a)(9), will
24 expend not less than the total amount of funds ap-
25 propriated under this Act and expended by the agen-

1 cy in fiscal year 1999 in carrying out such a pro-
2 gram under this title;

3 “(10) provide a grievance procedure for older
4 individuals who are dissatisfied with or denied serv-
5 ices under this title;

6 “(11) provide information and assurances con-
7 cerning services to older individuals who are Native
8 Americans (referred to in this paragraph as ‘Older
9 Native Americans’), including—

10 “(A) information concerning whether there
11 is a significant population of older Native
12 Americans in the planning and service area and
13 if so, an assurance that the area agency on
14 aging will pursue activities, including outreach,
15 to increase access of those older Native Ameri-
16 cans to programs and benefits provided under
17 this title;

18 “(B) an assurance that the area agency on
19 aging will, to the maximum extent practicable,
20 coordinate the services the agency provides
21 under this title with services provided under
22 title VI; and

23 “(C) an assurance that the area agency on
24 aging will make services under the area plan
25 available, to the same extent as such services

1 are available to older individuals within the
 2 planning and service area, to older Native
 3 Americans; and

4 “(12) provide that the area agency on aging
 5 will establish procedures for coordination of services
 6 with entities conducting other Federal or federally
 7 assisted programs for older individuals at the local
 8 level, with particular emphasis on entities conducting
 9 programs described in section 203(b) within the
 10 planning and service area.”.

11 (b) WAIVERS.—Section 306(b) of the Older Ameri-
 12 cans Act of 1965 (42 U.S.C. 3026(b)) is amended—

13 (1) in paragraph (1), by striking “(1)”; and

14 (2) by striking paragraph (2).

15 **SEC. 305. STATE PLANS.**

16 Section 307(a) of the Older Americans Act of 1965
 17 (42 U.S.C. 3027(a)) is amended—

18 (1) by striking paragraphs (1) through (5) and
 19 inserting the following:

20 “(1) The plan shall—

21 “(A) require each area agency on aging
 22 designated under section 305(a)(2)(A) to de-
 23 velop and submit to the State agency for ap-
 24 proval, in accordance with a uniform format de-

1 veloped by the State agency, an area plan meet-
2 ing the requirements of section 306; and

3 “(B) be based on such area plans.

4 “(2) The plan shall provide that the State agen-
5 cy will—

6 “(A) evaluate, using uniform procedures
7 described in section 202(a)(28), the need for
8 supportive services (including legal assistance,
9 information and assistance, and transportation
10 services), nutrition services, and multipurpose
11 senior centers within the State;

12 “(B) determine the extent to which public
13 or private programs and resources (including
14 volunteers and programs and services of vol-
15 untary organizations) meet such need; and

16 “(C) specify a minimum proportion of the
17 funds received by each area agency on aging in
18 the State to carry out part B that will be ex-
19 pended (in the absence of a waiver under sec-
20 tion 306(b) or 316) by such area agency on
21 aging to provide each of the categories of serv-
22 ices specified in section 306(a)(2).

23 “(3) The plan shall—

24 “(A) include (and may not be approved un-
25 less the Assistant Secretary approves) the state-

1 ment and demonstration required by para-
2 graphs (2) and (4) of section 305(d) (con-
3 cerning intrastate distribution of funds); and

4 “(B) with respect to services for older indi-
5 viduals residing in rural areas—

6 “(i) provide assurances that the State
7 agency will spend for each fiscal year,
8 under this title and titles V and VII, not
9 less than the amount expended for such
10 services for fiscal year 1999;

11 “(ii) identify, for each fiscal year to
12 which the plan applies, the projected costs
13 of providing such services (including the
14 cost of providing access to such services);
15 and

16 “(iii) describe the methods used to
17 meet the needs for such services in the fis-
18 cal year preceding the first year to which
19 such plan applies.

20 “(4) The plan shall provide that the State agen-
21 cy will conduct periodic evaluations of, and public
22 hearings on, activities and projects carried out in the
23 State under this title and title VII, including evalua-
24 tions of the effectiveness of services to individuals
25 with greatest economic need, greatest social need, or

1 disabilities, with particular attention to low-income
2 minority individuals.

3 “(5) The plan shall provide that the State agen-
4 cy will—

5 “(A) afford an opportunity for a hearing
6 upon request, in accordance with published pro-
7 cedures, to any area agency on aging submit-
8 ting a plan under this title, or to any provider
9 of (or applicant to provide) services under such
10 a plan; and

11 “(B) issue guidelines applicable to griev-
12 ance procedures required by section
13 306(a)(10).”;

14 (2) in paragraph (7), by striking subparagraph
15 (C);

16 (3) by striking paragraphs (8) and (9) and in-
17 serting the following:

18 “(8)(A) The plan shall provide that no sup-
19 portive services, nutrition services, or in-home serv-
20 ices will be directly provided by the State agency or
21 an area agency on aging in the State, unless, in the
22 judgment of the State agency—

23 “(i) provision of such services by the State
24 agency or area agency on aging is necessary to
25 assure an adequate supply of such services;

1 “(ii) such services are directly related to
 2 such State agency’s or area agency on aging’s
 3 administrative functions; and

4 “(iii) such services can be provided more
 5 economically, and with comparable quality, by
 6 such State agency or area agency on aging.

7 “(B) Regarding case management services, if
 8 the State agency or area agency on aging is already
 9 providing case management services (as of the date
 10 of submission of the plan) under a State program,
 11 the plan may specify that such agency may provide
 12 case management services.

13 “(C) The plan may specify that the area agency
 14 on aging may provide information and assistance
 15 services and outreach.

16 “(9) The plan shall provide assurances that the
 17 State agency will carry out, through the Office of
 18 the State Long-Term Care Ombudsman, a State
 19 Long-Term Care Ombudsman program in accord-
 20 ance with section 712 and this title, and will expend
 21 for such purpose not less than the total amount so
 22 expended by the State agency for fiscal year 1999.”;

23 (4) by striking paragraphs (10), (11), and (12);

24 (5) by redesignating paragraph (13) as para-
 25 graph (10);

1 (6) in paragraph (10) (as redesignated by para-
2 graph (5))—

3 (A) by striking subparagraphs (B), (C),
4 (D), (E), (H), and (M);

5 (B) by redesignating subparagraphs (F),
6 (G), (I), (J), (K), and (L) as subparagraphs
7 (B), (C), (D), (E), (F), and (G), respectively;

8 (C) in subparagraph (F) (as redesignated
9 by subparagraph (B)), by striking “older indi-
10 vidual;” and inserting “older individual; and”;
11 and

12 (D) in subparagraph (G) (as redesignated
13 by subparagraph (B)), by striking “; and” and
14 inserting a period;

15 (7) by striking paragraph (14);

16 (8) by redesignating paragraphs (15) and (16)
17 as paragraphs (11) and (12), respectively;

18 (9) by striking paragraph (17);

19 (10) by redesignating paragraph (18) as para-
20 graph (13);

21 (11) by striking paragraph (19);

22 (12) by redesignating paragraph (20) as para-
23 graph (14);

24 (13) by striking paragraphs (21) and (22);

1 (14) by redesignating paragraphs (23), (24),
2 (25), and (26) as paragraphs (15), (16), (17), and
3 (18), respectively;

4 (15) in paragraph (18) (as redesignated by
5 paragraph (14)), by striking “section 306(a)(6)(I)”
6 and inserting “section 306(a)(7)”;

7 (16) by striking paragraphs (27), (28), (29),
8 and (31);

9 (17) by redesignating paragraphs (30) and (32)
10 as paragraphs (19) and (20), respectively;

11 (18) by striking paragraphs (33), (34), and
12 (35) and inserting the following:

13 “(21) The plan shall—

14 “(A) provide an assurance that the State
15 agency will coordinate programs under this title
16 and programs under title VI, if applicable; and

17 “(B) provide an assurance that the State
18 agency will pursue activities to increase access
19 by older individuals who are Native Americans
20 to all aging programs and benefits provided by
21 the agency, including programs and benefits
22 provided under this title, if applicable, and
23 specify the ways in which the State agency in-
24 tends to implement the activities.”;

1 (19) by redesignating paragraph (36) as para-
2 graph (22);

3 (20) by striking paragraphs (37), (38), (39),
4 (40), and (43);

5 (21) by redesignating paragraphs (41), (42),
6 and (44) as paragraphs (23), (24), and (25), respec-
7 tively; and

8 (22) by adding at the end the following:

9 “(26)(A) The plan may include an evaluation
10 by the State agency, in consultation with the area
11 agencies on aging in the State and private organiza-
12 tions in the State that are grantees, of the State’s
13 priorities regarding the need in the State for services
14 provided under title V.

15 “(B) If the State agency includes such evalua-
16 tion in such plan, the State agency shall—

17 “(i) determine what planning and service
18 areas of the State are most in need of the serv-
19 ices described in subparagraph (A) by taking
20 into consideration—

21 “(I) the areas in which community
22 service projects of the type authorized by
23 title V are most needed;

24 “(II) the employment situations of,
25 and the type of skills possessed by, avail-

1 able local individuals who are eligible to
2 participate in the projects; and

3 “(III) the potential projects for the
4 areas and the number and percentage of
5 local individuals who are eligible to partici-
6 pate in the projects; and

7 “(ii) list such areas in descending order of
8 need beginning with the area most in need.”.

9 **SEC. 306. PLANNING, COORDINATION, EVALUATION, AND**
10 **ADMINISTRATION OF STATE PLANS.**

11 Section 308(b) of the Older Americans Act of 1965
12 (42 U.S.C. 3028(b)) is amended—

13 (1) in paragraph (4)—

14 (A) in subparagraph (B)—

15 (i) by striking “for fiscal year 1993,
16 1994, 1995, or 1996” and inserting “for
17 any fiscal year”; and

18 (ii) by striking “to satisfy such
19 need—” and all that follows and inserting
20 “to satisfy such need an additional amount
21 of the funds so received by a State and at-
22 tributable to funds appropriated under
23 paragraph (1) or (2) of section 303(b).”;
24 and

25 (B) by adding at the end the following:

1 “(C) A State’s request for a waiver under subpara-
 2 graph (B) shall—

3 “(i) be not more than 1 page in length;

4 “(ii) include a request that the waiver be grant-
 5 ed;

6 “(iii) specify the amount of the funds received
 7 by a State and attributable to funds appropriated
 8 under paragraph (1) or (2) of section 303(b), over
 9 the permissible 30 percent referred to in subpara-
 10 graph (A), that the State requires to satisfy the
 11 need for services under subpart 1 or 2 of part C;
 12 and

13 “(iv) not include a request for a waiver with re-
 14 spect to an amount if the transfer of the amount
 15 would jeopardize the appropriate provision of serv-
 16 ices under subpart 1 or 2 of part C.”; and

17 (2) in paragraph (5), by striking “for fiscal
 18 year 1993” and all that follows through “fiscal year
 19 1996,” and inserting “for any fiscal year”.

20 **SEC. 307. AVAILABILITY OF DISASTER RELIEF FUNDS TO**
 21 **TRIBAL ORGANIZATIONS.**

22 Section 310 (42 U.S.C. 3030) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (1)—

1 (i) by inserting “(or to any tribal or-
 2 ganization receiving a grant under title
 3 VI)” after “any State”; and

4 (ii) by inserting “(or funds used by
 5 such tribal organization)” before “for the
 6 delivery of supportive services”;

7 (B) in paragraph (2), by inserting “and
 8 such tribal organizations” after “States”; and

9 (C) in paragraph (3), by inserting “or such
 10 tribal organization” after “State” each place it
 11 appears; and

12 (2) in subsections (b)(1) and (c), by inserting
 13 “and such tribal organizations” after “States”.

14 **SEC. 308. NUTRITION SERVICES INCENTIVE PROGRAM.**

15 Section 311 of the Older Americans Act of 1965 (42
 16 U.S.C. 3030a) is amended—

17 (1) in the section heading, by striking “AVAIL-
 18 ABILITY OF SURPLUS COMMODITIES” and inserting
 19 “NUTRITION SERVICES INCENTIVE PROGRAM”;

20 (2) by redesignating subsections (a), (b), (c),
 21 and (d) as subsections (c), (d), (e), and (f), respec-
 22 tively;

23 (3) by inserting before subsection (c) (as redes-
 24 ignated by paragraph (2)) the following:

1 “(a) The purpose of this section is to provide incen-
2 tives to encourage and reward effective performance by
3 States and tribal organizations in the efficient delivery of
4 nutritious meals to older individuals.

5 “(b)(1) The Secretary of Health and Human Services
6 shall allot and pay, to each State agency with a plan ap-
7 proved under this title for a fiscal year, and to each tribal
8 organization with an application approved under part A
9 of title VI for such fiscal year, an amount bearing the
10 same ratio to the total amount appropriated for such fiscal
11 year under subsection (e) as the number of meals served
12 in the State under such plan approved for the preceding
13 fiscal year (or the number of meals served by the tribal
14 organization, under such application approved for such
15 preceding fiscal year), bears to the total number of such
16 meals served in all States and by all tribal organizations
17 under all such plans and applications approved for such
18 preceding fiscal year.

19 “(2) For purposes of paragraph (1), in the case of
20 a tribal organization that has an application approved
21 under part A of title VI for a fiscal year but that did not
22 receive assistance under this section for the preceding fis-
23 cal year, the number of meals served by the tribal organi-
24 zation for the preceding fiscal year shall be deemed to
25 equal the number of meals that the Assistant Secretary

1 estimates will be served by the tribal organization in the
2 fiscal year for which the application was approved.”;

3 (4) in subsection (c) (as redesignated by para-
4 graph (2)), by striking paragraph (4);

5 (5) in subsection (d) (as redesignated by para-
6 graph (2)), by adding at the end the following:

7 “(4) Among the commodities delivered under this
8 subsection, the Secretary of Agriculture shall give special
9 emphasis to high protein foods, meat, and meat alternates.
10 The Secretary of Agriculture, in consultation with the As-
11 sistant Secretary, is authorized to prescribe the terms and
12 conditions respecting the donating of commodities under
13 this subsection.”; and

14 (6) by striking subsection (e) (as redesignated
15 by paragraph (2)) and inserting the following:

16 “(e) There are authorized to be appropriated to carry
17 out this section (other than subsection (c)(1))
18 \$150,000,000 for fiscal year 2000 and such sums as may
19 be necessary for each of the 4 succeeding fiscal years.”.

20 **SEC. 309. CONSUMER CONTRIBUTIONS AND WAIVERS.**

21 Part A of title III (42 U.S.C. 3021 et seq.) is amend-
22 ed by adding at the end the following:

23 **“SEC. 315. CONSUMER CONTRIBUTIONS.**

24 “(a) COST SHARING.—

1 “(1) IN GENERAL.—Except as provided in
2 paragraph (2), a State may require or permit cost
3 sharing for all direct services provided for in this
4 Act, by the recipients of the services.

5 “(2) EXCEPTIONS.—The State may not require
6 or permit the cost sharing described in paragraph
7 (1) for the following:

8 “(A) Information and assistance services.

9 “(B) Outreach services.

10 “(C) Benefits counseling services.

11 “(D) Case management services.

12 “(E) Ombudsman services, legal assistance
13 services, and other protection and advocacy
14 services.

15 “(F) Congregate nutrition services.

16 “(G) Home-delivered nutrition services.

17 “(H) Services for recipients who declare
18 incomes below a low-income threshold set by the
19 State.

20 “(3) PAYMENT RATES.—If a State requires or
21 permits cost sharing described in paragraph (1),
22 such State shall establish a sliding scale, based on
23 income, on which cost sharing will be determined for
24 recipients who declare that their incomes are above
25 the low-income threshold set by such State.

1 “(4) REQUIREMENTS.—If a State requires or
2 permits cost sharing described in paragraph (1),
3 such State shall require each area agency on aging
4 in the State to ensure that each service provider in-
5 volved will—

6 “(A) protect the privacy of each recipient
7 with respect to the recipient’s cost share pay-
8 ment;

9 “(B) establish appropriate procedures to
10 safeguard and account for cost share payments;
11 and

12 “(C) use each collected cost share payment
13 to expand the service for which such payment
14 was given.

15 “(b) VOLUNTARY CONTRIBUTIONS.—

16 “(1) IN GENERAL.—Voluntary contributions
17 shall be allowed for all the direct services, including
18 the services described in subparagraphs (A) through
19 (H) of subsection (a)(2). Voluntary contributions
20 may be accepted, but not solicited, for the services
21 described in subparagraphs (A) through (E), and
22 (H), of subsection (a)(2).

23 “(2) OTHER CONTRIBUTIONS.—In addition to
24 any contributions received for services referred to in
25 paragraph (1), if a State does not require or permit

1 the cost sharing described in subsection (a)(1), such
 2 State may allow for voluntary contributions for other
 3 services provided for under this Act.

4 “(3) LOCAL DECISION.—The area agency on
 5 aging shall consult with the relevant service pro-
 6 viders in a State to determine the best method for
 7 accepting voluntary contributions under this sub-
 8 section.

9 “(4) REQUIREMENTS.—

10 “(A) IN GENERAL.—In determining a
 11 method under paragraph (3), the agency shall
 12 follow criteria specified in subparagraphs (B)
 13 and (C).

14 “(B) PROHIBITED ACTS.—The agency
 15 shall not means test for any service for which
 16 contributions are accepted or deny services to
 17 any individual who does not contribute to the
 18 cost of the service.

19 “(C) REQUIRED ACTS.—The agency shall
 20 ensure that each service provider will—

21 “(i) provide each recipient with an op-
 22 portunity to voluntarily contribute to the
 23 cost of the service;

1 “(ii) protect the privacy of each re-
2 cipient with respect to the recipient’s con-
3 tribution;

4 “(iii) establish appropriate procedures
5 to safeguard and account for all contribu-
6 tions; and

7 “(iv) use all collected contributions to
8 expand the service for which the contribu-
9 tions were given.

10 “(c) EVALUATION.—Not earlier than 1 year after the
11 date of enactment of the Older Americans Act Amend-
12 ments of 1999, and periodically thereafter, the Secretary
13 shall conduct a comprehensive evaluation of practices for
14 cost sharing, described in subsection (a), that are con-
15 ducted by the States, to determine the impact of such
16 practices on participation levels of disparate populations
17 under this Act.

18 **“SEC. 316. WAIVERS.**

19 “(a) IN GENERAL.—The Assistant Secretary may
20 waive any of the provisions specified in subsection (b) with
21 respect to a State, upon receiving an application by the
22 State agency containing or accompanied by documentation
23 sufficient to establish, to the satisfaction of the Assistant
24 Secretary, that—

1 “(1) approval of the State legislature has been
 2 obtained or is not required with respect to the pro-
 3 posal for which waiver is sought;

4 “(2) the State agency has consulted with the
 5 area agencies on aging in the State with respect to
 6 the proposal for which waiver is sought;

7 “(3) the proposal has been made available for
 8 public review and comment within the State (and a
 9 summary of the comments received has been in-
 10 cluded in the application); and

11 “(4) with respect to any application for a waiv-
 12 er of a restriction under section 308(b)(4)(A) re-
 13 garding the amount that may be transferred between
 14 programs carried out under subparts 1 and 2 of part
 15 C, the application meets the requirements of section
 16 308(b)(4)(C).

17 “(b) REQUIREMENTS SUBJECT TO WAIVER.—The
 18 provisions of this title that may be waived under this sec-
 19 tion are—

20 “(1) any provision of sections 305, 306, and
 21 307 requiring statewide uniformity of programs car-
 22 ried out under this title, to the extent necessary to
 23 permit demonstrations, in limited areas of a State,
 24 of innovative approaches to assist older individuals;

1 “(2) any area plan requirement described in
2 section 306(a);

3 “(3) any State plan requirement described in
4 section 307(a);

5 “(4) any restriction under paragraph (4) or (5)
6 of section 308(b), on the amount that may be trans-
7 ferred between programs carried out under parts B
8 and C, or between programs carried out under sub-
9 parts 1 and 2 of part C; and

10 “(5) the requirement of section 309(c) that cer-
11 tain amounts of a State allotment be used for the
12 provision of services, with respect to a State that re-
13 duces expenditures under the State plan of the State
14 (but only to the extent that the non-Federal share
15 of the expenditures is not reduced below any min-
16 imum specified in section 304(d) or any other provi-
17 sion of this title).

18 “(c) DURATION OF WAIVER.—The application by a
19 State agency for a waiver under this section shall include
20 a recommendation as to the duration of the waiver (not
21 to exceed the duration of the State plan of the State). The
22 Assistant Secretary, in granting such a waiver, shall speci-
23 fy the duration of the waiver, which may be the duration
24 recommended by the State agency or such shorter time
25 period as the Assistant Secretary finds to be appropriate.

1 “(d) REPORTS TO SECRETARY.—With respect to each
 2 waiver granted under this section, not later than 1 year
 3 after the expiration of such waiver, and at any time during
 4 the waiver period that the Assistant Secretary may re-
 5 quire, the State agency shall prepare and submit to the
 6 Assistant Secretary a report concerning the impact of the
 7 waiver on the operation and effectiveness of programs and
 8 services provided under this title.”.

9 **SEC. 310. SUPPORTIVE SERVICES AND SENIOR CENTERS.**

10 Section 321 of the Older Americans Act of 1965 (42
 11 U.S.C. 3030d) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (2), by striking “or
 14 both” and inserting “and services provided by
 15 an area agency on aging, in conjunction with
 16 local transportation service providers, public
 17 transportation agencies, and other local govern-
 18 ment agencies, that result in increased provi-
 19 sion of such transportation services for older in-
 20 dividuals”;

21 (B) in paragraph (4), by striking “or (D)”
 22 and all that follows and inserting “or (D) to as-
 23 sist older individuals in obtaining housing for
 24 which assistance is provided under programs of

1 the Department of Housing and Urban Devel-
2 opment;”;

3 (C) in paragraph (5), by striking “includ-
4 ing” and all that follows and inserting the fol-
5 lowing: “including—

6 “(A) client assessment, case management
7 services, and development and coordination of
8 community services;

9 “(B) supportive activities to meet the spe-
10 cial needs of caregivers, including caretakers
11 who provide in-home services to frail older indi-
12 viduals; and

13 “(C) in-home services and other commu-
14 nity services, including home health, home-
15 maker, shopping, escort, reader, and letter writ-
16 ing services, to assist older individuals to live
17 independently in a home environment;”;

18 (D) in paragraph (12), by inserting before
19 the semicolon the following: “, and including
20 the coordination of the services with programs
21 administered by or receiving assistance from
22 the Department of Labor, including programs
23 carried out under the Workforce Investment
24 Act of 1998 (29 U.S.C. 2801 et seq.)”;

25 (E) by striking paragraph (19);

1 (F) by redesignating paragraph (20) as
 2 paragraph (19);

3 (G) by inserting after paragraph (19) (as
 4 redesignated by subparagraph (F)) the fol-
 5 lowing:

6 “(20) in-home services for frail older individ-
 7 uals, including individuals with Alzheimer’s disease
 8 and related disorders with neurological and organic
 9 brain dysfunction, and their families, including in-
 10 home services defined by a State agency in the State
 11 plan submitted under section 307, taking into con-
 12 sideration the age, economic need, and noneconomic
 13 and nonhealth factors contributing to the frail condi-
 14 tion and need for services of the individuals de-
 15 scribed in this paragraph, and in-home services de-
 16 fined by an area agency on aging in the area plan
 17 submitted under section 306.”; and

18 (H) in paragraph (22), by inserting “nec-
 19 essary for the general welfare of older individ-
 20 uals” before the semicolon; and

21 (2) by adding at the end the following:

22 “(c) In carrying out the provisions of this part, to
 23 more efficiently and effectively deliver services to older in-
 24 dividuals, each area agency on aging shall coordinate serv-
 25 ices described in subsection (a) with other community

1 agencies and voluntary organizations providing the same
 2 services. In coordinating the services, the area agency on
 3 aging shall make efforts to coordinate the services with
 4 agencies and organizations carrying out intergenerational
 5 programs or projects.

6 “(d) Funds made available under this part shall sup-
 7 plement, and not supplant, any Federal, State, or local
 8 funds expended by a State or unit of general purpose local
 9 government (including an area agency on aging) to provide
 10 services described in subsection (a).”.

11 **SEC. 311. NUTRITION SERVICES.**

12 (a) **HEADING.**—Section 331 of the Older Americans
 13 Act of 1965 (42 U.S.C. 3030e) is amended by striking
 14 all that precedes “Assistant Secretary shall” and inserting
 15 the following:

16 **“SEC. 331. PROGRAM AUTHORIZED.**

17 “(a) **IN GENERAL.**—The”.

18 (b) **SCHOOL-BASED MEALS.**—Section 338 of the
 19 Older Americans Act of 1965 (42 U.S.C. 3030g–11) is
 20 amended—

21 (1) by striking the section heading;

22 (2) in subsection (a), by striking “IN GEN-
 23 ERAL.—” and all that follows through “establishing
 24 and operating” and inserting “SCHOOL-BASED
 25 MEALS AND MULTIGENERATIONAL PROGRAMS.—In

1 carrying out nutrition projects under subsection (a),
 2 the State may carry out”;

3 (3) by redesignating subsection (a) as sub-
 4 section (b);

5 (4) by moving that subsection (b) to the end of
 6 section 331; and

7 (5) by adding at the end the following:

8 “(c) INTERACTION.—In carrying out projects under
 9 subsection (a), the State may make efforts to provide older
 10 individuals with opportunities to interact with students on
 11 a regular basis in a way that is mutually beneficial.”.

12 (c) REPEAL.—Subpart 3 of part C of title III of the
 13 Older Americans Act of 1965 (42 U.S.C. 3030g–11 et
 14 seq.) is repealed.

15 (d) REDESIGNATION.—Part C of title III of the Older
 16 Americans Act of 1965 (42 U.S.C. 3030e et seq.) is
 17 amended by redesignating subpart 4 as subpart 3.

18 **SEC. 312. PAYMENT REQUIREMENT.**

19 Section 339A of the Older Americans Act of 1965
 20 (42 U.S.C. 3030g–22) is repealed.

21 **SEC. 313. IN-HOME SERVICES AND ADDITIONAL ASSIST-**
 22 **ANCE.**

23 Title III of the Older Americans Act of 1965 (42
 24 U.S.C. 3021 et seq.) is amended—

25 (1) by repealing parts D and E; and

1 (2) by redesignating part F as part D.

2 **SEC. 314. DEFINITION.**

3 Section 363 of the Older Americans Act of 1965 (42
4 U.S.C. 3030o) is repealed.

5 **SEC. 315. NATIONAL FAMILY CAREGIVER SUPPORT PRO-**
6 **GRAM.**

7 Title III of the Older Americans Act of 1965 (42
8 U.S.C. 3021 et seq.) is amended—

9 (1) by repealing part G; and

10 (2) by inserting after part D (as redesignated
11 by section 313(2)) the following:

12 **“PART E—NATIONAL FAMILY CAREGIVER**
13 **SUPPORT PROGRAM**

14 **“SEC. 371. SHORT TITLE.**

15 “This part may be cited as the ‘National Family
16 Caregiver Support Act’.

17 **“SEC. 372. DEFINITIONS.**

18 “In this part:

19 “(1) CHILD.—The term ‘child’ means an indi-
20 vidual who is not more than 18 years of age.

21 “(2) FAMILY CAREGIVER.—The term ‘family
22 caregiver’ means an adult family member, or an-
23 other individual, who is an informal provider of in-
24 home and community care to an older individual.

1 “(3) GRANDPARENT OR OLDER INDIVIDUAL
 2 WHO IS A RELATIVE CAREGIVER.—The term ‘grand-
 3 parent or older individual who is a relative caregiver’
 4 means a grandparent or stepgrandparent of a child,
 5 or a relative of a child by blood or marriage, who is
 6 60 years of age or older and—

7 “(A) lives with the child;

8 “(B) is the primary caregiver of the child
 9 because the biological or adoptive parents are
 10 unable or unwilling to serve as the primary
 11 caregiver of the child; and

12 “(C) has a legal relationship to the child,
 13 as such legal custody or guardianship, or is
 14 raising the child informally.

15 **“SEC. 373. PROGRAM AUTHORIZED.**

16 “(a) IN GENERAL.—The Assistant Secretary shall
 17 carry out a program for making grants to States with
 18 State plans approved under section 307, to pay for the
 19 Federal share of the cost of carrying out State programs,
 20 to enable area agencies on aging to provide multifaceted
 21 systems of support services—

22 “(1) for family caregivers; and

23 “(2) for grandparents or older individuals who
 24 are relative caregivers.

1 “(b) SUPPORT SERVICES.—In providing services
2 under subsection (a), an area agency on aging shall
3 provide—

4 “(1) information to eligible caregivers about
5 available services;

6 “(2) assistance to eligible caregivers in gaining
7 access to the services;

8 “(3) individual counseling, organization of sup-
9 port groups, and caregiver training to eligible care-
10 givers to assist the caregivers in making decisions
11 and solving problems relating to their caregiving
12 roles;

13 “(4) respite care to enable eligible caregivers to
14 be temporarily relieved from their caregiving respon-
15 sibilities; and

16 “(5) supplemental services, on a limited basis,
17 to complement the care provided by eligible care-
18 givers.

19 “(c) ELIGIBILITY AND PRIORITY.—

20 “(1) ELIGIBILITY.—In order for a family care-
21 giver, or a grandparent or older individual who is a
22 relative caregiver, to be eligible to receive services
23 provided by a State program under this part, the
24 State shall find that—

1 “(A) the caregiver is a caregiver described
2 in paragraph (1) or (2) of subsection (a); and

3 “(B) in the case of a caregiver providing
4 care to an older individual, the older individual
5 meets the condition specified in subparagraph
6 (A)(i) or (B) of section 102(28).

7 “(2) PRIORITY.—In providing services to a fam-
8 ily caregiver, or a grandparent or older individual
9 who is a relative caregiver, the State shall give pri-
10 ority for services to older individuals with greatest
11 social need, older individuals with greatest economic
12 need, and older individuals providing care and sup-
13 port to persons with mental retardation and related
14 developmental disabilities (as defined in section 102
15 of the Developmental Disabilities Assistance and Bill
16 of Rights Act (42 U.S.C. 6001) (referred to in this
17 part as ‘developmental disabilities’) consistent with
18 the requirements of section 305(a)(2)(E).

19 “(d) COORDINATION WITH SERVICE PROVIDERS.—
20 In carrying out this part, each area agency on aging shall
21 coordinate the activities of the agency with the activities
22 of other community agencies and voluntary organizations
23 providing the types of services described in subsection (b).

24 “(e) QUALITY STANDARDS AND MECHANISMS AND
25 ACCOUNTABILITY.—

1 “(1) QUALITY STANDARDS AND MECHANISMS.—

2 The State shall establish standards and mechanisms
3 designed to assure the quality of services provided
4 with assistance made available under this part.

5 “(2) DATA AND RECORDS.—The State shall col-

6 lect data and maintain records relating to the State
7 program in a standardized format specified by the
8 Assistant Secretary. The State shall furnish the
9 records to the Assistant Secretary, at such time as
10 the Assistant Secretary may require, in order to en-
11 able the Assistant Secretary to monitor State pro-
12 gram administration and compliance, and to evalu-
13 ate and compare the effectiveness of the State pro-
14 grams.

15 “(3) REPORTS.—The State shall prepare and

16 submit to the Assistant Secretary reports on the
17 data and records required under paragraph (2), in-
18 cluding information on the services funded under
19 this part, and standards and mechanisms by which
20 the quality of the services shall be assured.

21 “(f) AVAILABILITY OF FUNDS.—

22 “(1) IN GENERAL.—A State shall use the por-

23 tion of the State allotment under section 304 that
24 is from amounts appropriated under section 303(e)
25 to carry out the State program under this part.

1 “(2) USE OF FUNDS FOR ADMINISTRATION OF
2 AREA PLANS.—Amounts made available to a State to
3 carry out the State program under this part may be
4 used, in addition to amounts available in accordance
5 with section 303(c)(1), for costs of administration of
6 area plans.

7 “(3) FEDERAL SHARE.—

8 “(A) IN GENERAL.—Notwithstanding sec-
9 tion 304(d)(1)(D), the Federal share of the cost
10 of carrying out a State program under this part
11 shall be 75 percent.

12 “(B) NON-FEDERAL SHARE.—The non-
13 Federal share of the costs shall be provided
14 from State and local sources.

15 “(C) LIMITATION.—A State may use not
16 more than 10 percent of the total Federal and
17 non-Federal share of the amount available to
18 the State to provide support services to grand-
19 parents and older relative caregivers of children.

20 **“SEC. 374. MAINTENANCE OF EFFORT.**

21 “Funds made available under this part shall supple-
22 ment, and not supplant, any Federal, State, or local funds
23 expended by a State or unit of general purpose local gov-
24 ernment (including an area agency on aging) to provide
25 services described in section 373.

1 **“PART F—STATE AND LOCAL INNOVATIONS AND**
2 **PROGRAMS OF NATIONAL SIGNIFICANCE**

3 **“SEC. 381. PURPOSES.**

4 “The purposes of this part are—

5 “(1) to expand the Nation’s knowledge and un-
6 derstanding of the older population and the aging
7 process;

8 “(2) to design, test, and promote the use of in-
9 novative ideas and best practices in programs and
10 services for older individuals;

11 “(3) to help meet the needs for trained per-
12 sonnel in the field of aging; and

13 “(4) to increase awareness of citizens of all
14 ages of the need to assume personal responsibility
15 for their own longevity.

16 **“SEC. 382. PROGRAM AUTHORIZED.**

17 “For the purpose of carrying out this part, the As-
18 sistant Secretary may make grants to and enter into con-
19 tracts with States, public agencies, private nonprofit agen-
20 cies, institutions of higher education, and organizations,
21 including tribal organizations, for—

22 “(1) education and training to develop an ade-
23 quately trained workforce to work with and on be-
24 half of older individuals;

1 “(2) applied social research and analysis to im-
2 prove access and delivery of services for older indi-
3 viduals;

4 “(3) evaluation of the performance of the pro-
5 grams, activities, and services provided under this
6 part;

7 “(4) the development of methods and practices
8 to improve the quality and effectiveness of the pro-
9 grams, services, and activities provided under this
10 part;

11 “(5) the demonstration of new approaches to
12 design, deliver, and coordinate programs and serv-
13 ices for older individuals;

14 “(6) technical assistance in planning, devel-
15 oping, implementing, and improving the programs,
16 services, and activities provided under this part;

17 “(7) coordination with the designated State
18 agency described in section 101(a)(2)(A)(i) of the
19 Rehabilitation Act of 1973 (29 U.S.C.
20 721(a)(2)(A)(i)) to provide services to older individ-
21 uals who are blind as described in such Act;

22 “(8) the training of graduate level professionals
23 specializing in the mental health needs of older indi-
24 viduals;

1 “(9) the provision of training for older individ-
2 uals that—

3 “(A) relates to the use of computers and
4 related equipment, in order to improve the em-
5 ployment-related skills of the older individuals;
6 and

7 “(B) is provided at senior centers, housing
8 facilities for older individuals, elementary
9 schools, secondary schools, and institutions of
10 higher education; and

11 “(10) any other activities that the Assistant
12 Secretary determines will achieve the purposes of
13 this part.

14 **“SEC. 383. AUTHORIZATION OF APPROPRIATIONS.**

15 “There are authorized to be appropriated to carry out
16 this part such sums as may be necessary.

17 **“PART G—PENSION COUNSELING PROGRAMS**

18 **“SEC. 391. PENSION COUNSELING PROGRAMS.**

19 “(a) DEFINITIONS.—In this part:

20 “(1) PENSION AND OTHER RETIREMENT BENE-
21 FITS.—The term ‘pension and other retirement ben-
22 efits’ means private, civil service, and other public
23 pensions and retirement benefits, including benefits
24 provided under—

1 “(A) the Social Security program carried
2 out under title II of the Social Security Act (42
3 U.S.C. 401 et seq.);

4 “(B) the railroad retirement program car-
5 ried out under the Railroad Retirement Act of
6 1974 (45 U.S.C. 231 et seq.);

7 “(C) the government retirement benefits
8 programs carried out under—

9 “(i) the Civil Service Retirement Sys-
10 tem set forth in subchapter III of chapter
11 83 of title 5, United States Code;

12 “(ii) the Federal Employees Retire-
13 ment System set forth in chapter 84 of
14 title 5, United States Code;

15 “(iii) title 10, United States Code; or

16 “(iv) any other government retirement
17 system, including any Government pension
18 plan as such term is defined under section
19 9502 of title 31, United States Code; or

20 “(D) the Employee Retirement Income Se-
21 curity Act of 1974 (29 U.S.C. 1001 et seq.).

22 “(2) PENSION COUNSELING PROGRAM.—The
23 term ‘pension counseling program’ means a program
24 described in subsection (c).

1 “(b) ESTABLISHMENT.—The Assistant Secretary
 2 may establish and carry out pension counseling projects.
 3 In carrying out the projects, the Assistant Secretary may
 4 award grants under subsection (c).

5 “(c) PENSION COUNSELING PROGRAMS.—

6 “(1) USE OF FUNDS.—In carrying out the
 7 projects specified in subsection (b), the Assistant
 8 Secretary may award grants to eligible entities to es-
 9 tablish programs that create or continue pension as-
 10 sistance and counseling projects that—

11 “(A) provide outreach, information, coun-
 12 seling, referral, and other assistance regarding
 13 pension and other retirement benefits, and
 14 rights related to such benefits; and

15 “(B) collectively, provide the assistance to
 16 individuals in all of the States.

17 “(2) AWARD OF GRANTS.—

18 “(A) TYPE OF ENTITY.—The Assistant
 19 Secretary may award under this subsection—

20 “(i) grants to State agencies or area
 21 agencies on aging; and

22 “(ii) grants to nonprofit organizations
 23 with a proven record of providing—

24 “(I) services related to the retire-
 25 ment of older individuals;

1 “(II) services to Native Ameri-
2 cans; or

3 “(III) specific pension counseling.

4 “(B) PANEL.—If the Assistant Secretary
5 awards grants under this subsection, the Assist-
6 ant Secretary shall use a citizen advisory panel
7 that shall include representatives of business,
8 labor, national senior advocates, and national
9 pension rights advocates.

10 “(C) CRITERIA.—If the Assistant Sec-
11 retary awards grants under this subsection, the
12 Assistant Secretary, after consultation with the
13 panel, shall use as criteria—

14 “(i) evidence of commitment of an
15 agency or organization to carry out a pro-
16 posed pension counseling program;

17 “(ii) the ability of the agency or orga-
18 nization to perform effective outreach to
19 affected populations, particularly popu-
20 lations identified as in need of special out-
21 reach;

22 “(iii) reliable information that the
23 population to be served by the agency or
24 organization has a demonstrable need for

1 the services proposed to be provided under
 2 the program; and

3 “(iv) evidence of ability of the agency
 4 or organization to provide services under
 5 the program on a statewide or regional
 6 basis.

7 “(3) APPLICATION.—

8 “(A) IN GENERAL.—To be eligible to re-
 9 ceive a grant under this subsection, an entity
 10 shall submit an application to the Assistant
 11 Secretary at such time, in such manner, and
 12 containing such information as the Assistant
 13 Secretary may require, including, at a
 14 minimum—

15 “(i) a plan for the establishment of a
 16 pension counseling program to serve a spe-
 17 cific geographic area; and

18 “(ii) an assurance that staff members
 19 (including volunteer staff members) have
 20 no conflict of interest in providing the
 21 services described in the plan.

22 “(B) PLAN.—The plan described in sub-
 23 paragraph (A) shall provide for a program
 24 that—

1 “(i) establishes or continues a State
2 or area pension counseling service;

3 “(ii) provides counseling (including di-
4 rect counseling and assistance to individ-
5 uals needing information) and information
6 that may assist individuals in establishing
7 rights to, obtaining, and filing claims or
8 complaints related to, pension and other
9 retirement benefits;

10 “(iii) provides information on sources
11 of pension and other retirement benefits,
12 including the benefits under programs de-
13 scribed in subsection (a)(1);

14 “(iv) makes referrals to legal services
15 and other advocacy programs;

16 “(v) establishes a system of referral to
17 Federal, State, and local departments or
18 agencies related to pension and other re-
19 tirement benefits;

20 “(vi) provides a sufficient number of
21 staff positions (including volunteer posi-
22 tions) to ensure information, counseling,
23 referral, and assistance regarding pension
24 and other retirement benefits;

1 “(vii) provides training programs for
2 staff members, including volunteer staff
3 members of the programs described in sub-
4 section (a)(1);

5 “(viii) makes recommendations to the
6 Administration, the Department of Labor,
7 and other Federal, State, and local agen-
8 cies concerning issues for older individuals
9 related to pension and other retirement
10 benefits; and

11 “(ix) establishes or continues to pro-
12 vide projects to provide outreach, informa-
13 tion, counseling, referral, and other assist-
14 ance regarding pension and other retire-
15 ment benefits, with particular emphasis on
16 outreach to women, minorities, and low-in-
17 come retirees.

18 “(d) PENSION ASSISTANCE HOTLINE AND INTER-
19 AGENCY COORDINATION.—The Assistant Secretary may
20 enter into interagency agreements for the establishment
21 and operation of, and dissemination of information about,
22 a telephone hotline for individuals seeking outreach, infor-
23 mation, counseling, referral, and assistance regarding pen-
24 sion and other retirement benefits, and rights related to
25 such benefits. The Assistant Secretary may also enter into

1 agreements with the Secretary of Labor and with the
2 heads of other Federal agencies that regulate the provision
3 of pension and other retirement benefits, as the Assistant
4 Secretary determines to be appropriate, in order to carry
5 out this subsection and to develop a nationwide public-pri-
6 vate pension assistance system.

7 “(e) REPORT TO CONGRESS.—

8 “(1) PREPARATION.—If grants are awarded
9 under subsection (c), the Assistant Secretary shall
10 prepare a report that—

11 “(A) summarizes the distribution of funds
12 authorized for grants under this section and the
13 expenditure of such funds;

14 “(B) summarizes the scope and content of
15 training and assistance provided under a pro-
16 gram carried out under this section and the de-
17 gree to which the training and assistance can
18 be replicated;

19 “(C) outlines the problems that individuals
20 participating in programs funded under this
21 section encountered concerning rights related to
22 pension and other retirement benefits; and

23 “(D) makes recommendations regarding
24 the manner in which services provided in pro-
25 grams funded under this section can be incor-

1 porated into the ongoing programs of State
2 agencies, area agencies on aging, multipurpose
3 senior centers, and other similar entities.

4 “(2) SUBMISSION.—If grants are awarded
5 under subsection (c), not later than 30 months after
6 the date of enactment of this section, the Assistant
7 Secretary shall submit the report described in para-
8 graph (1) to the Committee on Education and the
9 Workforce of the House of Representatives and the
10 Committee on Health, Education, Labor, and Pen-
11 sions of the Senate.

12 “(f) ADMINISTRATIVE EXPENSES.—Of the funds ap-
13 propriated under subsection (g) to carry out this section
14 for a fiscal year, not more than \$100,000 may be used
15 by the Administration for administrative expenses in car-
16 rying out this section.

17 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 such sums as may be necessary for each of fiscal years
20 2000 through 2004.”.

1 **TITLE IV—AMENDMENTS TO**
 2 **TITLE IV OF THE OLDER**
 3 **AMERICANS ACT OF 1965**

4 **SEC. 401. REPEAL.**

5 Title IV of the Older Americans Act of 1965 (42
 6 U.S.C. 3030aa et seq.) is repealed.

7 **TITLE V—AMENDMENTS TO**
 8 **TITLE V OF THE OLDER**
 9 **AMERICANS ACT OF 1965**

10 **SEC. 501. OLDER AMERICAN COMMUNITY SERVICE EM-**
 11 **PLOYMENT PROGRAM.**

12 (a) IN GENERAL.—Section 502 of the Older Ameri-
 13 cans Act of 1965 (42 U.S.C. 3056) is amended—

14 (1) in subsection (a)—

15 (A) by striking “(a) In order to foster and
 16 promote useful part-time opportunities in com-
 17 munity service activities” and inserting “(a)(1)
 18 In order to foster and promote part-time em-
 19 ployment opportunities in community service
 20 activities and in the private sector”; and

21 (B) by adding at the end the following:

22 “(2) In order to foster individual economic self-suffi-
 23 ciency and to increase the number of persons who may
 24 enjoy the benefits of the program, the Secretary is author-
 25 ized to establish projects to place participants in unsub-

1 sidized employment in both the public and private sec-
 2 tors.”;

3 (2) in subsection (b)(1)—

4 (A) in the matter preceding subparagraph
 5 (A), by striking “agencies or organizations, in-
 6 cluding” and inserting “agencies or organiza-
 7 tions, to the extent such agencies or organiza-
 8 tions have not been determined to have engaged
 9 in negligent or fraudulent activity, or otherwise
 10 failed to meet fiduciary responsibilities con-
 11 cerning previous agreements with the Secretary
 12 by the Office of Inspector General, the Attorney
 13 General, or any court of law. Such organiza-
 14 tions and agencies may include”;

15 (B) by striking subparagraph (B) and in-
 16 serting the following:

17 “(B)(i) will provide employment for eligible in-
 18 dividuals in the community in which such individuals
 19 reside, or in nearby communities; or

20 “(ii) if such project is carried out by a tribal or-
 21 ganization that enters into an agreement under this
 22 subsection or receives assistance from a State that
 23 enters into such an agreement, will provide employ-
 24 ment for such individuals who are Indians residing
 25 on an Indian reservation, as the term is defined in

1 section 2601(2) of the Energy Policy Act of 1992
2 (25 U.S.C. 3501(2)).”;

3 (C) in subparagraph (H), by inserting
4 “participating in a one-stop delivery system as
5 established under section 134(c) of the Work-
6 force Investment Act of 1998 (29 U.S.C.
7 2864(c)) and” after “including”;

8 (D) in subparagraph (J), by striking
9 “community service jobs” and inserting “com-
10 munity service and other jobs”;

11 (E) in subparagraph (N)(i), by striking
12 clause (i) and inserting the following:

13 “(i) will prepare an assessment of the partici-
14 pants’ skills and talents and their needs for services
15 (referred to in this title as an ‘assessment and serv-
16 ice strategy’), except to the extent such project has,
17 for the participant involved, recently prepared an as-
18 sessment of such skills and talents, and such needs,
19 pursuant to another employment or training pro-
20 gram (such as a program under the Workforce In-
21 vestment Act of 1998 (29 U.S.C. 2801 et seq.), the
22 Carl D. Perkins Vocational and Technical Education
23 Act of 1998 (20 U.S.C. 2301 et seq.), or part A of
24 title IV of the Social Security Act (42 U.S.C. 601
25 et seq.));” and

1 (F) by striking subparagraph (O) and in-
2 serting the following:

3 “(O) will provide appropriate services for par-
4 ticipants through the one-stop delivery system in the
5 local workforce investment area as established under
6 section 134(c) of the Workforce Investment Act of
7 1998 (29 U.S.C. 2864(c)), and will be involved in
8 the planning and operations of such system pursu-
9 ant to a memorandum of understanding with the
10 local workforce investment board in accordance with
11 section 121(c) of such Act (29 U.S.C. 2841(c));”;

12 (3) in subsection (b)(3), by striking “prime
13 sponsors,”;

14 (4) by striking subsection (b)(4) and inserting
15 the following:

16 “(4)(A) An assessment and service strategy provided
17 for an eligible individual under this title shall satisfy any
18 condition for an assessment and service strategy or indi-
19 vidual employment plan for an adult participant under
20 subtitle B of title I of the Workforce Investment Act of
21 1998 (29 U.S.C. 2811 et seq.), in order to determine
22 whether such individual qualifies for intensive or training
23 services described in section 134(d) of such Act (29 U.S.C.
24 2864(d)), in accordance with such Act.

1 “(B) An assessment and service strategy or indi-
 2 vidual employment plan provided for an adult participant
 3 under subtitle B of title I of the Workforce Investment
 4 Act of 1998 (29 U.S.C. 2811 et seq.) shall satisfy any
 5 condition for an assessment and service strategy for an
 6 eligible individual under this title.”;

7 (5) in subsection (c)—

8 (A) in paragraph (1), by inserting “a
 9 share, but” after “authorized to pay” the first
 10 place it appears;

11 (B) in paragraph (3), by striking “for fis-
 12 cal year 1987 and each fiscal year thereafter”
 13 and inserting “for any fiscal year”;

14 (C) by adding at the end the following:

15 “(4) Amounts provided under this title to pay for the
 16 costs of administration for such project shall only be used
 17 to pay for the costs of—

18 “(A) participant training, including costs for in-
 19 structors, classroom rental, training supplies, mate-
 20 rials, equipment, and tuition;

21 “(B) special job-related or personal counseling
 22 for participants;

23 “(C) incidentals necessary for successful par-
 24 ticipation of the participants, such as workshoes,
 25 badges, uniforms, eyeglasses, and tools;

1 “(D) salaries, wages, and fringe benefits for
2 project administrators;

3 “(E) consumable office supplies for project
4 staff;

5 “(F) development, preparation, presentation,
6 management, and evaluation of the project;

7 “(G) establishment and maintenance of ac-
8 counting and management information systems;

9 “(H) establishment and maintenance of advi-
10 sory councils;

11 “(I) travel of project administrators;

12 “(J) rent, utilities, and custodial services;

13 “(K) training of staff and technical assistance
14 to subproject sponsor staff; and

15 “(L) audit services.”;

16 (6) in subsection (d)—

17 (A) in paragraph (1), by striking “program
18 sponsor” each place it appears and inserting
19 “grantee”; and

20 (B) in paragraph (2), by striking “for a
21 hearing on the record” and all that follows
22 through the period and inserting “for public
23 comment.”;

24 (7) in subsection (e)—

25 (A) in paragraph (1)—

1 (i) in the first sentence, by striking
 2 “conduct experimental projects designed
 3 to”; and

4 (ii) in the second sentence, by striking
 5 “to conduct the experimental projects au-
 6 thorized by this subsection” and inserting
 7 “to assure that placement and training”;
 8 and

9 (B) by striking paragraphs (3) and (4);
 10 and

11 (8) by adding at the end the following:

12 “(f) The Secretary shall, on a regular basis, carry out
 13 evaluations of the activities authorized under this title,
 14 which may include projects described in subsection (e).”.

15 **SEC. 502. ADMINISTRATION.**

16 Section 503 of the Older Americans Act of 1965 (42
 17 U.S.C. 3056a) is amended—

18 (1) in subsection (a)(2), by striking “titles III,
 19 IV, and VI” and inserting “other titles of this Act”;

20 (2) in subsection (b)(1)—

21 (A) by striking “and the Vocational Edu-
 22 cation Act of 1984” and inserting “the Carl D.
 23 Perkins Vocational and Technical Education
 24 Act of 1998 (20 U.S.C. 2301 et seq.), the Na-
 25 tional and Community Service Act of 1990 (42

1 U.S.C. 12501 et seq.), and the Domestic Volun-
2 teer Service Act of 1973 (42 U.S.C. 4950 et
3 seq.)”;

4 (B) by striking “titles III, IV, and VI” and
5 inserting “other titles of this Act”; and

6 (C) by striking “or the Vocational Edu-
7 cation Act of 1984” and inserting “the Carl D.
8 Perkins Vocational and Technical Education
9 Act of 1998, the National and Community
10 Service Act of 1990, or the Domestic Volunteer
11 Service Act of 1973”; and

12 (3) by striking subsection (f) and inserting the
13 following:

14 “(f)(1) The Secretary shall monitor activities receiv-
15 ing financial assistance under this title to determine
16 whether the grantees for the activities are complying with
17 the provisions of this title.

18 “(2) Each grantee receiving funds under this title
19 shall comply with the applicable uniform cost principles
20 and appropriate administrative requirements for grants
21 and contracts that are applicable to the type of entity re-
22 ceiving funds, as issued in circulars or rules of the Office
23 of Management and Budget.

24 “(3) Each grantee described in paragraph (2) shall
25 prepare and submit reports in such form and containing

1 such information as the Secretary may require regarding
 2 activities carried out under this title.

3 “(4) Each grantee described in paragraph (2) shall
 4 keep records that—

5 “(A) are sufficient to permit the preparation of
 6 reports required pursuant to this title;

7 “(B) are sufficient to permit the tracing of
 8 funds to a level of expenditure adequate to ensure
 9 that the funds have not been spent unlawfully; and

10 “(C) contain any other information that the
 11 Secretary determines to be appropriate.”.

12 **SEC. 503. INTERAGENCY COOPERATION.**

13 Section 505 of the Older Americans Act of 1965 (42
 14 U.S.C. 3056c) is amended—

15 (1) by striking subsection (c);

16 (2) by redesignating subsection (d) as sub-
 17 section (c); and

18 (3) in subsection (c)(1) (as redesignated by
 19 paragraph (2)), by inserting “, especially activities
 20 provided under the Workforce Investment Act of
 21 1988 (29 U.S.C. 2801 et seq.), including activities
 22 provided through one-stop delivery systems estab-
 23 lished under section 134(c) of such Act (29 U.S.C.
 24 2864(c)),” after “under other Acts”.

1 **SEC. 504. EQUITABLE DISTRIBUTION OF ASSISTANCE.**

2 Title V of the Older Americans Act of 1965 is
3 amended—

4 (1) by repealing section 506 (42 U.S.C. 3056d);

5 (2) by redesignating section 508 (42 U.S.C.
6 3056f) as section 515 and moving the section to the
7 end of the title;

8 (3) by redesignating section 507 (42 U.S.C.
9 3056e) as section 516 and moving the section to the
10 end of the title; and

11 (4) by inserting after section 505 (42 U.S.C.
12 3056c) the following:

13 **“SEC. 506. EQUITABLE DISTRIBUTION OF ASSISTANCE.**

14 **“(a) RESERVATIONS.—**

15 **“(1) RESERVATION FOR PRIVATE EMPLOYMENT**
16 **PROJECTS.—**From sums appropriated under this
17 title for each fiscal year, the Secretary shall first re-
18 serve not more than 1.5 percent of the total amount
19 of such sums for the purpose of entering into agree-
20 ments under section 502(e), relating to improved
21 transition to private employment.

22 **“(2) RESERVATION FOR TERRITORIES.—**From
23 sums appropriated under this title for each fiscal
24 year, the Secretary shall also reserve not more than
25 0.75 percent of the total amount of such sums, of
26 which—

1 “(A) Guam, American Samoa, and the
 2 United States Virgin Islands shall each receive
 3 30 percent; and

4 “(B) the Commonwealth of the Northern
 5 Mariana Islands shall receive 10 percent.

6 “(b) STATE ALLOTMENTS.—

7 “(1) IN GENERAL.—

8 “(A) ALLOTMENTS.—Subject to paragraph
 9 (3), from sums appropriated under this title for
 10 a fiscal year that remain after amounts are re-
 11 served under paragraphs (1) and (2) of sub-
 12 section (a), the Secretary shall allot to each
 13 State an amount that bears the same ratio to
 14 such remainder as the product of the number of
 15 persons age 55 or over in the State and the al-
 16 lotment percentage of such State bears to the
 17 sum of the corresponding products for all
 18 States.

19 “(B) DEFINITION.—In this paragraph, the
 20 term ‘State’ does not include Guam, American
 21 Samoa, the Commonwealth of the Northern
 22 Mariana Islands, and the United States Virgin
 23 Islands.

24 “(2) ALLOTMENT PERCENTAGE.—For the pur-
 25 poses of this subsection—

“(A) the allotment percentage of each State shall be 100 percent less that percentage that bears the same ratio to 50 percent as the per capita income of such State bears to the per capita income of the United States, except that—

“(i) the allotment percentage shall in no case be more than 75 percent or less than $33\frac{1}{3}$ percent; and

“(ii) the allotment percentage for the District of Columbia and the Commonwealth of Puerto Rico shall be 75 percent; and

“(B) the number of persons age 55 or over in any State and in all States, and the per capita income in any State and in all States, shall be determined by the Secretary on the basis of the most current statistical data as reported by the Secretary of Commerce.

“(3) HOLD HARMLESS.—

“(A) MINIMUM ALLOTMENT.—In determining State allotments under paragraph (1), the Secretary shall ensure that each State receives, at a minimum, an allotment for each fiscal year that is not less than the allotment the

1 State received under this section for fiscal year
2 1999.

3 “(B) ADJUSTMENTS TO ACHIEVE MINIMUM
4 ALLOTMENT.—Allotments provided to States
5 for a fiscal year under paragraph (1) shall be
6 proportionally reduced to the extent necessary
7 in order to award each State the allotment de-
8 scribed in subparagraph (A).

9 “(4) EQUITABLE DISTRIBUTION.—The Sec-
10 retary, in awarding grants and contracts under this
11 section, shall, to the extent feasible, assure an equi-
12 table distribution of activities under such grants and
13 contracts, in the aggregate, among the States, tak-
14 ing into account the needs of underserved States.

15 “(c) ALLOCATION WITHIN STATES.—

16 “(1) IN GENERAL.—Of the amount allotted to
17 a State under subsection (b)—

18 “(A) 55 percent of such amount shall be
19 allocated to national organizations that are op-
20 erating in such State; and

21 “(B) 45 percent of such amount shall be
22 allocated to the State agency for such State.

23 “(2) STATE ALLOTMENTS INCREASED.—If a
24 national organization receives a percentage of a
25 State allotment under this section for a fiscal year

1 and does not participate in a project under this title
 2 in the following fiscal year, the Secretary shall ad-
 3 just the percentages described in paragraph (1) ac-
 4 cordingly.

5 “(3) EQUITABLE INTRASTATE ALLOCATION.—

6 “(A) IN GENERAL.—The amount allocated
 7 for projects within each State under this sub-
 8 section shall be allocated among areas within
 9 the State in an equitable manner, taking into
 10 consideration the State priorities set out in the
 11 State plan pursuant to section 307(a)(26).

12 “(B) ABSENCE OF PRIORITIES IN STATE
 13 PLAN.—If the State plan does not contain the
 14 priorities described in subparagraph (A), the
 15 amount allocated for projects within the State
 16 shall be allocated among areas within the State
 17 in an equitable manner, taking into
 18 consideration—

19 “(i) the relationship that the number
 20 of eligible individuals in each such area
 21 bears to the total number of such individ-
 22 uals, respectively, in that State;

23 “(ii) the relative distribution of such
 24 individuals residing in rural and urban
 25 areas within the State; and

1 “(iii) the relative distribution of—
 2 “(I) such individuals who are in-
 3 dividuals with greatest economic need;
 4 “(II) such individuals who are
 5 minority individuals; and
 6 “(III) such individuals who are
 7 individuals with greatest social need.

8 **“SEC. 507. REALLOTMENT.**

9 “(a) IN GENERAL.—The amount allotted to a State
 10 for projects within the State for a fiscal year under section
 11 506(b) that the Secretary determines is not required for
 12 such projects during such year shall be reallocated to other
 13 States in proportion to the original allotments to such
 14 States under section 506(b) for such year, but such pro-
 15 portionate amount for any of such other States shall be
 16 reduced to the extent such amount exceeds the sum the
 17 Secretary estimates that projects in such State need for
 18 such year. The total of such reductions shall be similarly
 19 reallocated among the States whose proportionate amounts
 20 were not so reduced.

21 “(b) DATE OF REALLOTMENTS.—The Secretary may
 22 make the allotments described in subsection (a) from time
 23 to time and on such dates during the year as the Secretary
 24 determines to be appropriate.

1 “(c) REALLOTMENT PART OF ORIGINAL ALLOT-
 2 MENT.—Any amount reallocated to a State under this sec-
 3 tion during a fiscal year shall be deemed to be part of
 4 the State’s allotment under section 506(b) for such year.

5 **“SEC. 508. REPORT.**

6 “The Secretary shall require the State agency for
 7 each State receiving funds under this title to prepare and
 8 submit a report at the beginning of each fiscal year on
 9 such State’s compliance with section 506(c)(3). Such re-
 10 port shall include the names and geographic location of
 11 all projects assisted under this title and carried out in the
 12 State and the amount allocated to each such project under
 13 section 506.”.

14 **SEC. 505. DUAL ELIGIBILITY.**

15 Section 510 of the Older Americans Act of 1965 (42
 16 U.S.C. 3056h) is amended to read as follows:

17 **“SEC. 510. ELIGIBILITY FOR WORKFORCE INVESTMENT AC-**
 18 **TIVITIES.**

19 “Local workforce investment boards established
 20 under subtitle B of title I of the Workforce Investment
 21 Act of 1998 (29 U.S.C. 2811 et seq.) shall consider indi-
 22 viduals determined to be eligible under this title to have
 23 satisfied the requirements for receiving services under
 24 such subtitle that are applicable to adults and ensure the
 25 provision of such services to such individuals.”.

1 **SEC. 506. COORDINATION AND PERFORMANCE.**

2 Title V of the Older Americans Act of 1965 (42
3 U.S.C. 3056 et seq.) is amended by inserting after section
4 511 the following:

5 **“SEC. 512. COORDINATION WITH THE WORKFORCE INVEST-**
6 **MENT ACT OF 1998.**

7 “(a) PARTNERS.—Grantees under this title shall be
8 one-stop partners as described in subparagraphs (A) and
9 (B)(vi) of section 121(b)(1) of the Workforce Investment
10 Act of 1998 (29 U.S.C. 2841(b)(1)) in the one-stop deliv-
11 ery system established under section 134(c) of such Act
12 (29 U.S.C. 2864(c)) for the appropriate local workforce
13 investment areas, and shall carry out the responsibilities
14 relating to such partners.

15 “(b) COORDINATION.—In local workforce investment
16 areas where more than 1 grantee under this title provides
17 services, the grantees shall coordinate their activities re-
18 lated to the one-stop delivery system, and each grantee
19 shall be a signatory of the memorandum of understanding
20 established under section 121(c) of the Workforce Invest-
21 ment Act of 1998 (29 U.S.C. 2841(c)).

22 **“SEC. 513. WAIVERS.**

23 “(a) IN GENERAL.—Pursuant to a written request
24 submitted by a grantee receiving funds under section 506,
25 the Secretary may waive any of the statutory or regulatory
26 requirements of this title except the requirements relating

1 to the basic purposes of the program, wage and labor
2 standards, worker rights, participation and protection of
3 workers and participants, grievance procedures, judicial
4 review, and eligibility of participants.

5 “(b) REQUEST.—Any grantee seeking a waiver under
6 subsection (a) shall submit a request that describes the
7 goals of the waiver and the expected improvements in the
8 program if the request is approved.

9 “(c) DURATION.—The duration of each waiver ap-
10 proved under this section shall be limited to the duration
11 of the grant agreement. Such waiver may be renewed pur-
12 suant to approval of a subsequent request that meets the
13 requirements of this section.

14 “(d) REPORT.—With respect to each waiver approved
15 under this section, each grantee shall prepare and submit
16 to the Secretary a report concerning the impact of the
17 waiver on the operation and effectiveness of projects and
18 services under this title. Such report shall be submitted
19 not later than 1 year after the expiration of such waiver,
20 and at such times during the waiver period as the Sec-
21 retary may require.

22 **“SEC. 514. PERFORMANCE.**

23 “(a) MEASURES.—The Secretary shall establish, in
24 consultation with grantees under this title, measures of
25 performance that are appropriate to activities authorized

1 by this title. The measures shall consist of indicators of
2 performance and levels of performance applicable to each
3 indicator. The levels of performance shall be adjusted by
4 taking into account such factors as economic conditions
5 and the characteristics of participants.

6 “(b) REQUIRED INDICATORS.—The indicators de-
7 scribed in subsection (a) shall include—

8 “(1) the number of persons served;

9 “(2) community services provided;

10 “(3) entry into and retention in unsubsidized
11 employment;

12 “(4) entry into and duration of subsidized em-
13 ployment;

14 “(5) rate of pay and benefits in unsubsidized
15 employment;

16 “(6) rate of pay and benefits in subsidized em-
17 ployment; and

18 “(7) any additional indicators of performance
19 that the Secretary determines to be appropriate to
20 evaluate services and performance.

21 “(c) CORRECTIVE EFFORTS.—A grantee, or a sub-
22 grantee of a State, that does not achieve the established
23 levels of performance on the performance measures shall
24 have not more than 1 year to improve the performance
25 of the grantee or subgrantee and achieve the levels of per-

1 formance. If the grantee or subgrantee does not achieve
 2 the levels of performance for 2 consecutive years, the
 3 grantee or subgrantee shall compete for funding under
 4 this title, either at the national or State level, whichever
 5 is applicable.”.

6 **SEC. 507. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 515 of the Older Americans Act of 1965 (as
 8 redesignated by section 504) is amended—

9 (1) in subsection (a), by striking paragraph (1)
 10 and inserting the following:

11 “(1) such sums as may be necessary for fiscal
 12 years 2000 through 2008; and”;

13 (2) in subsection (b)—

14 (A) in the first sentence, by striking
 15 “used” and inserting “available for obligation”;
 16 and

17 (B) by striking the last sentence; and

18 (3) by adding at the end the following:

19 “(c) At the end of the program year, the Secretary
 20 may recapture any unexpended funds for the program
 21 year, and re-obligate such funds within the 2 succeeding
 22 program years for—

23 “(1) incentive grants;

24 “(2) technical assistance; or

1 “(3) grants or contracts for any other program
2 under this title.”.

3 **TITLE VI—AMENDMENTS TO**
4 **TITLE VI OF THE OLDER**
5 **AMERICANS ACT OF 1965**

6 **SEC. 601. ELIGIBILITY.**

7 Section 612 of the Older Americans Act of 1965 (42
8 U.S.C. 3057c) is amended—

9 (1) by redesignating subsection (b) as sub-
10 section (c); and

11 (2) by inserting after subsection (a) the fol-
12 lowing:

13 “(b) An Indian tribe represented by an organization
14 specified in subsection (a) shall be eligible for only 1 grant
15 under this part for any fiscal year. Nothing in this sub-
16 section shall preclude an Indian tribe represented by an
17 organization specified in subsection (a) from receiving a
18 grant under section 631.”.

19 **SEC. 602. APPLICATIONS.**

20 Section 614 of the Older Americans Act of 1965 (42
21 U.S.C. 3057e) is amended—

22 (1) in subsection (a)—

23 (A) in paragraph (11), by striking “; and”
24 and inserting a semicolon;

1 (B) in paragraph (12), by striking the pe-
 2 riod and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(13) contain an assurance that the tribal orga-
 5 nization will use funds made available through the
 6 grant—

7 “(A) to provide in-service training opportu-
 8 nities and courses of instruction on aging to In-
 9 dian tribes through public and nonprofit Indian
 10 aging organizations; and

11 “(B) to provide annually a national meet-
 12 ing to train directors of programs under this
 13 title.”;

14 (2) in subsection (b), by striking “certification”
 15 and inserting “approval”; and

16 (3) in subsection (c)—

17 (A) by inserting “(1)” after “(c)”; and

18 (B) by adding at the end the following:

19 “(2) The Assistant Secretary shall provide waivers
 20 and exemptions of the reporting requirements of sub-
 21 section (a)(3) for applicants that serve Indian populations
 22 in geographically isolated areas, or applicants that serve
 23 small Indian populations, where the small scale of the
 24 project, the nature of the applicant, or other factors make
 25 the reporting requirements unreasonable under the cir-

1 cumstances. The Assistant Secretary shall consult with
 2 such applicants in establishing appropriate waivers and
 3 exemptions.

4 “(3) The Assistant Secretary shall approve any appli-
 5 cation that complies with the provisions of subsection (a),
 6 except that in determining whether an application com-
 7 plies with the requirements of subsection (a)(8), the As-
 8 sistant Secretary shall provide maximum flexibility to an
 9 applicant that seeks to take into account subsistence
 10 needs, local customs, and other characteristics that are ap-
 11 propriate to the unique cultural, regional, and geographic
 12 needs of the Indian populations to be served.

13 “(4) In determining whether an application complies
 14 with the requirements of subsection (a)(12), the Assistant
 15 Secretary shall require only that an applicant provide an
 16 appropriate narrative description of the geographic area
 17 to be served and an assurance that procedures will be
 18 adopted to ensure against duplicate services being pro-
 19 vided to the same recipients.”.

20 **SEC. 603. AUTHORIZATION OF APPROPRIATIONS.**

21 Section 633(a) of the Older Americans Act of 1965
 22 (42 U.S.C. 3057n(a)) is amended by striking
 23 “\$30,000,000” and all that follows through the period and
 24 inserting “such sums as may be necessary to carry out
 25 this title (other than parts C and D).”.

1 **SEC. 604. GENERAL PROVISIONS.**

2 Title VI of the Older Americans Act of 1965 (42
3 U.S.C. 3057 et seq.) is amended—

4 (1) by redesignating part C as part E;

5 (2) by redesignating sections 631 through 633
6 as sections 651 through 653, respectively; and

7 (3) by inserting after part B the following:

8 **“PART C—NATIVE AMERICAN ORGANIZATION**
9 **PROVISIONS**

10 **“SEC. 631. NATIVE AMERICAN PROGRAM.**

11 “(a) ESTABLISHMENT.—The Assistant Secretary,
12 acting through the Director of the Office for American In-
13 dian, Alaskan Native, and Native Hawaiian Aging, shall
14 establish and carry out a program for—

15 “(1) assisting eligible entities in prioritizing, on
16 a continuing basis, the needs of the service popu-
17 lation of the entities relating to elder rights; and

18 “(2) making grants to eligible entities to carry
19 out vulnerable elder rights protection activities that
20 the entities determine to be priorities.

21 “(b) APPLICATION.—In order to be eligible to receive
22 assistance under this part, an entity shall submit an appli-
23 cation to the Assistant Secretary at such time, in such
24 manner, and containing such information as the Assistant
25 Secretary may require.

1 “(c) ELIGIBLE ENTITY.—An entity eligible to receive
2 assistance under this section shall be—

3 “(1) an Indian tribe; or

4 “(2) a public agency, or a nonprofit organiza-
5 tion, serving older individuals who are Native Ameri-
6 cans.

7 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated such sums as may be
9 necessary to carry out this section.

10 **“PART D—NATIVE AMERICAN CAREGIVER**
11 **SUPPORT PROGRAM**

12 **“SEC. 641. PROGRAM.**

13 “(a) IN GENERAL.—The Assistant Secretary shall
14 carry out a program for making grants to tribal organiza-
15 tions with applications approved under part A, to pay for
16 the Federal share of carrying out tribal programs, to en-
17 able the tribal organizations to provide multifaceted sys-
18 tems of the support services described in section 373 for
19 caregivers described in section 373.

20 “(b) REQUIREMENTS.—In providing services under
21 subsection (a), a tribal organization shall meet the re-
22 quirements specified for an area agency on aging and for
23 a State in the provisions of subsections (c), (d), (e), and
24 (f)(3) of section 373 and of section 374. For purposes of
25 this subsection, references in such provisions to a State

1 program shall be considered to be references to a tribal
 2 program under this part.

3 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
 4 are authorized to be appropriated such sums as may be
 5 necessary to carry out this section.”.

6 **TITLE VII—AMENDMENTS TO**
 7 **TITLE VII OF THE OLDER**
 8 **AMERICANS ACT OF 1965**

9 **SEC. 701. AUTHORIZATION OF APPROPRIATIONS.**

10 Section 702 of the Older Americans Act of 1965 (42
 11 U.S.C. 3058a) is amended to read as follows:

12 **“SEC. 702. AUTHORIZATION OF APPROPRIATIONS.**

13 “There are authorized to be appropriated such sums
 14 as may be necessary to carry out this subtitle.”.

15 **SEC. 702. ALLOTMENT.**

16 Section 703(a)(2)(C) of the Older Americans Act of
 17 1965 (42 U.S.C. 3058b(a)(2)(C)) is amended by striking
 18 “1991” each place it appears and inserting “1999”.

19 **SEC. 703. ADDITIONAL STATE PLAN REQUIREMENTS.**

20 Section 705(a) of the Older Americans Act of 1965
 21 (42 U.S.C. 3058d(a)) is amended—

22 (1) in paragraph (6)(C)(iii), by striking the
 23 semicolon and inserting “; and”;

24 (2) by striking paragraph (7);

1 (3) by redesignating paragraph (8) as para-
2 graph (7); and

3 (4) in paragraph (7) (as redesignated by para-
4 graph (3)), by striking “paragraphs (1) through
5 (7)” and inserting “paragraphs (1) through (6)”.

6 **SEC. 704. STATE LONG-TERM CARE OMBUDSMAN PROGRAM.**

7 Section 712 of the Older Americans Act of 1965 (42
8 U.S.C. 3058g) is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (2), by striking “and ad-
11 vocacy” and inserting “, law enforcement, and
12 advocacy”; and

13 (B) in paragraph (5)(C)(ii), by inserting
14 “and not stand to gain financially through an
15 action or potential action brought on behalf of
16 individuals the Ombudsman serves” after “in-
17 terest”; and

18 (2) in subsection (h)—

19 (A) in paragraph (4)—

20 (i) in subparagraph (A)—

21 (I) by striking “(A) not later
22 than 1 year after the date of enact-
23 ment of this title, establish” and in-
24 serting “strengthen and update”;

1 (II) in the matter preceding
 2 clause (i), by inserting “and care-
 3 givers described in part E of title III”
 4 after “unpaid volunteers”; and
 5 (III) in clause (iii), by striking
 6 “and”;
 7 (ii) by striking subparagraph (B);
 8 (iii) by redesignating clauses (i)
 9 through (iii) as subparagraphs (A) through
 10 (C), respectively; and
 11 (iv) by redesignating subclauses (I)
 12 through (III) as clauses (i) through (iii),
 13 respectively;
 14 (B) in paragraph (7), by striking “; and”
 15 and inserting a semicolon;
 16 (C) by redesignating paragraph (8) as
 17 paragraph (9); and
 18 (D) by inserting after paragraph (7) the
 19 following:
 20 “(8) coordinate services with State and local
 21 law enforcement agencies and courts of competent
 22 jurisdiction; and”.
 23 **SEC. 705. NATIVE AMERICAN ORGANIZATION PROVISIONS.**
 24 Title VII of the Older Americans Act of 1965 (42
 25 U.S.C. 3058 et seq.) is amended—

1 (1) by repealing subtitle B; and

2 (2) by redesignating subtitle C as subtitle B.

3 **SEC. 706. PREVENTION OF ELDER ABUSE, NEGLECT, AND**
 4 **EXPLOITATION.**

5 Section 721 of the Older Americans Act of 1965 (42
 6 U.S.C. 3058i) is amended—

7 (1) in subsection (b)—

8 (A) in the matter preceding paragraph (1),
 9 by inserting “including financial exploitation,”
 10 after “exploitation,”;

11 (B) in paragraph (2), by inserting “, state
 12 and local law enforcement systems, and courts
 13 of competent jurisdiction” after “service pro-
 14 gram”;

15 (C) in paragraph (5)—

16 (i) by inserting “including caregivers
 17 described in part E of title III,” after “in-
 18 dividuals,”; and

19 (ii) by striking “and enhancement of
 20 self-determination and autonomy”;

21 (D) in paragraph (7)—

22 (i) by striking “self-determination,”;
 23 and

24 (ii) by striking the “and” after the
 25 semicolon;

1 (E) in paragraph (8), by striking the pe-
 2 riod at the end and inserting “; and”; and

3 (F) by adding at the end the following:

4 “(9) promoting the development of, and pro-
 5 viding technical assistance concerning, pro bono
 6 legal assistance programs, legal hot lines, alternative
 7 dispute resolution, programs and curricula, related
 8 to the rights and benefits of older individuals, in law
 9 schools and other institutions of higher education,
 10 State and local bar committees on aging, and other
 11 methods to expand access by older individuals to
 12 legal assistance and advocacy and vulnerable elder
 13 rights protection activities.”; and

14 (2) in subsection (d)(8)—

15 (A) by inserting “State and local” after
 16 “consumer protection and”; and

17 (B) by inserting “, and services provided
 18 by agencies and courts of competent jurisdic-
 19 tion” before the period.

20 **SEC. 707. ASSISTANCE PROGRAMS.**

21 Subtitle A of title VII of the Older Americans Act
 22 of 1965 (42 U.S.C 3058 et seq.) is amended by repealing
 23 chapters 4 and 5.

1 **TITLE VIII—TECHNICAL AND**
 2 **CONFORMING AMENDMENTS**

3 **SEC. 801. TECHNICAL AND CONFORMING AMENDMENTS.**

4 (a) TITLE I.—Section 102(34)(C) of the Older Amer-
 5 icans Act of 1965 (42 U.S.C. 3002(34)(C)) is amended
 6 by striking “307(a)(12)” and inserting “307(a)(9)”.

7 (b) TITLE II.—

8 (1) Section 201(d)(3) of the Older Americans
 9 Act of 1965 (42 U.S.C. 3011(d)(3)) is amended—

10 (A) in subparagraph (C)(ii), by striking
 11 “307(a)(12)” and inserting “307(a)(9)”; and

12 (B) in subparagraph (J), by striking
 13 “307(a)(12)” and inserting “307(a)(9)”.

14 (2) Section 202 of the Older Americans Act of
 15 1965 (42 U.S.C. 3012) is amended—

16 (A) in subsection (a)—

17 (i) in paragraph (19)(C), by striking
 18 “paragraphs (2) and (5)(A) of section
 19 306(a)” and inserting “paragraphs (2) and
 20 (4)(A) of section 306(a)”;

21 (ii) in paragraph (26), by striking
 22 “sections 307(a)(18) and 731(b)(2)” and
 23 inserting “section 307(a)(13)”; and

24 (iii) in paragraph (29) (as redesign-
 25 nated by section 201(1)(C)), by striking

1 “and title IV” and inserting “and part F
2 of title III”;

3 (B) in subsection (c)—

4 (i) in paragraph (1), by striking
5 “(c)(1)” and inserting “(c)”; and

6 (ii) by striking paragraph (2); and

7 (C) in subsection (e)(1)(A)—

8 (i) in clause (i), by striking “edu-
9 cation and training projects established
10 under part A, and research and dem-
11 onstration projects, and other activities, es-
12 tablished under part B, of title IV” and in-
13 serting “activities carried out under part F
14 of title III”; and

15 (ii) in clause (iv), by striking “, and
16 the information provided by the Resource
17 Centers on Native American Elders under
18 section 429E”.

19 (3) Section 203(a)(3)(A) of the Older Ameri-
20 cans Act of 1965 (42 U.S.C. 3013(a)(3)(A)) is
21 amended by striking “section 507” and inserting
22 “section 516”.

23 (4) Section 205(a)(2)(A) of the Older Ameri-
24 cans Act of 1965 (42 U.S.C. 3016(a)(2)(A)) is

1 amended by striking “subparts 1, 2, and 3” and in-
2 serting “subparts 1 and 2”.

3 (5) Section 206 of the Older Americans Act of
4 1965 (42 U.S.C. 3017) is amended—

5 (A) in subsection (b), by striking “title IV
6 of this Act” and inserting “part F of title III”;
7 and

8 (B) in subsection (g) (as redesignated by
9 section 204(2)), by striking “title IV” and in-
10 serting “part F of title III”.

11 (6) Section 207(a) of the Older Americans Act
12 of 1965 (42 U.S.C. 3018(a)) is amended—

13 (A) by striking paragraph (3); and

14 (B) by redesignating paragraphs (4) and
15 (5) as paragraphs (3) and (4), respectively.

16 (7) Section 214 of the Older Americans Act of
17 1965 (42 U.S.C. 3020e) is amended by striking
18 “307(a)(13)(J)” and inserting “307(a)(10)(E)”.

19 (c) TITLE III.—

20 (1) Section 301(c) of the Older Americans Act
21 of 1965 (42 U.S.C. 3021(c)) is amended by striking
22 “307(a)(12)” and inserting “307(a)(9)”.

23 (2) Section 304 of the Older Americans Act of
24 1965 (42 U.S.C. 3024) is amended—

1 (A) in subsection (d)(1)(B), by striking
 2 “307(a)(12)” and inserting “307(a)(9)”;

3 (B) by striking subsection (e); and

4 (C) by redesignating subsection (f) (as
 5 added in section 303(c)) as subsection (e).

6 (3) Section 305(a)(2)(F) of the Older Ameri-
 7 cans Act of 1965 (42 U.S.C. 3025(a)(2)(F)) is
 8 amended by striking “307(a)(24)” and inserting
 9 “307(a)(16)”.

10 (4) Section 307 of the Older Americans Act of
 11 1965 (42 U.S.C. 3027) is amended—

12 (A) in subsection (a), in paragraph (22)
 13 (as redesignated by section 305(19)), by strik-
 14 ing “306(a)(20)” and inserting “306(a)(8)”;
 15 and

16 (B) in subsection (f)—

17 (i) in paragraph (1), by striking
 18 “(f)(1)” and inserting “(f)”;

19 (ii) by striking paragraph (2).

20 (5) Section 308(b)(4)(A) of the Older Ameri-
 21 cans Act of 1965 (42 U.S.C. 3028(b)(4)(A)) is
 22 amended by striking “307(a)(13)” and inserting
 23 “307(a)(10)”.

1 (6) Section 310 of the Older Americans Act of
2 1965 (42 U.S.C. 3030) is amended by striking “title
3 IV” each place it appears and inserting “part F”.

4 (7) Section 321(a)(15) of the Older Americans
5 Act of 1965 (42 U.S.C. 3030d(a)(15)) is amended
6 by striking “section 307(a)(16)” and inserting “sec-
7 tion 307(a)(12)”.

8 (d) TITLE V.—Section 502(e)(1) of the Older Ameri-
9 cans Act of 1965 (42 U.S.C. 3056(e)(1)) is amended by
10 striking “section 506(a)(2)(A)” and “section 506(a)(1)”.

11 (e) TITLE VI.—Section 614(a) of the Older Ameri-
12 cans Act of 1965 (42 U.S.C. 3057e(a)) is amended—

13 (1) by striking paragraph (9); and

14 (2) by redesignating paragraphs (10) through
15 (13) (as added in section 602(1)(C)) as paragraphs
16 (9) through (12), respectively.

17 (f) TITLE VII.—

18 (1) Section 703(a)(2)(C) of the Older Ameri-
19 cans Act of 1965 (42 U.S.C. 3058b(a)(2)(C)) is
20 amended—

21 (A) in clause (i), by striking “section
22 702(a)” and inserting “section 702 and made
23 available to carry out chapter 2”; and

1 (B) in clause (ii), by striking “section
2 702(b)” and inserting “section 702 and made
3 available to carry out chapter 3”.

4 (2) Section 712(a)(1) of the Older Americans
5 Act of 1965 (42 U.S.C. 3058g(a)(1)) is amended by
6 striking “section 702(a)” and inserting “section 702
7 and made available to carry out this chapter”.

8 (3) Section 721(a) of the Older Americans Act
9 of 1965 (42 U.S.C. 3058i(a)) is amended by striking
10 “section 702(b)” and inserting “section 702 and
11 made available to carry out this chapter”.

12 (4) Section 761(2) of the Older Americans Act
13 of 1965 (42 U.S.C. 3058bb(2)) is amended by strik-
14 ing “chapter 2, 3, 4, or 5 of this title” and inserting
15 “subtitle A”.

16 (5) Section 762 of the Older Americans Act of
17 1965 (42 U.S.C. 3058cc) is amended, in the matter
18 preceding paragraph (1), by striking “or an entity
19 described in section 751(c)”.

20 (6) Section 764(b) of the Older Americans Act
21 of 1965 (42 U.S.C. 3058ee(b)) is amended by strik-
22 ing “, area agencies on aging, and entities described
23 in section 751(c)” and inserting “and area agencies
24 on aging”.

○